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# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

### SUPPLEMENT.

N. J. 5651-5700.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., Apr. 11, 1918.]

## NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5651. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 12 Barrels \* \* \* 5 Half-barrels \* \* \* 80 Cases \* \* \* and 4 Casks \* \* \* of Vinegar. U. S. \* \* \* v. 23 Barrels \* \* \* 50 Cases \* \* \* and 1 Cask \* \* \* of Vinegar. Product ordered released on bond. (F. & D. No. 7464. I. S. No. 11174-1. S. No. C-529, C-529-a.)**

On May 24, 1916, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 12 barrels, 5 half-barrels, 80 cases, each containing 6 one-gallon jugs, and 4 casks, each containing 60 quart bottles, 23 barrels, 50 cases, each containing 6 one-gallon jugs, and 1 cask, containing 60 quart bottles, of vinegar, consigned on March 23, 1916, by the Wallace McLean Vinegar Co., Memphis, Tenn., and remaining unsold in the original unbroken packages at Pine Bluff and Stuttgart, Ark., alleging that the article had been shipped and transported from the State of Tennessee into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Elko Brand Pure Apple Cider Vinegar."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of distilled vinegar or of dilute acetic acid, which had been substituted for and mixed with said apple vinegar so as to reduce and lower and injuriously affect its quality and strength.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, and that it deceived and misled in that the label, "Pure Apple Cider Vinegar," was a misnomer and was untrue and was false and misleading.

On January 27, 1917, the said Wallace McLean Vinegar Co., claimant, having admitted the allegations of the libels and having executed bonds in the aggregate sum of \$1,000, in conformity with section 10 of the act, it was ordered by the court that the product should be released to said claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5652. Adulteration and misbranding of purified wool fat. U. S. \* \* \* v. 10 Crates \* \* \* of \* \* \* Purified Wool Fat. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 7469. I. S. No. 614-I. S. No. E-629.)

On May 26, 1916, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 crates, each containing two cans of approximately 45 pounds each, of purified wool fat, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped on or about March 17, 1916, by the Hilton Chemical Co., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Purified Wool Fat Lord Baltimore Brand Lanum Anhydrous Neutral and Non-Irritating Ointment and Cream Base. Hilton Chemical Co., Incorporated, Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that it was sold under a name recognized in the United States Pharmacopœia, but differed from the standard of strength, quality, and purity as determined by the test laid down in said United States Pharmacopœia, and for the further reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was sold as lanum, or purified wool fat, whereas, in truth and in fact, it contained 50 per cent petroleum products.

Misbranding of the article was alleged in substance for the reason that the statement appearing on the label, to wit, "Purified Wool Fat \* \* \* Lanum," was false and misleading in that said product contained 50 per cent petroleum products, and for the further reason that it was an imitation of, and offered for sale under the name of, another article.

On July 27, 1916, the said Hilton Chemical Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5653. Adulteration of tomato puree. U. S. \* \* \* v. 50 Cases \* \* \* of Tomato Puree. Default decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 7479. I. S. No. 4513-I. S. No. E-631.)**

On June 1, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of tomato puree, consigned by Thomas Page Canning Co., Albion, N. Y., remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about December 16, 1915, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Ontario Brand Condensed Tomatoes."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On July 26, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5654. Adulteration and misbranding of vinegar. U. S. \* \* \* v. Monarch Vinegar Works, a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 7499. I. S. Nos. 12793-k, 12794-k, 14043-k, 14054-k, 14918-k.)**

On July 31, 1916, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Monarch Vinegar Works, a corporation, Kansas City, Mo., alleging shipment by said company, on or about April 16, 1915 (two shipments), April 27, 1915, and April 17, 1915, from the State of Missouri into the State of Kansas, and on or about June 18, 1915, from the State of Missouri into the State of Texas, of quantities of vinegar which was adulterated and misbranded. The article was variously labeled in part: "Apple Cider Vinegar Reduced to 45 acid Strength"; "Monarch Brand Apple Cider Vinegar Reduced to 4.5 Acetic Strength"; "Pure Apple Cider Vinegar Generator Run"; "Sunburst Brand Pure Cider Vinegar Generator Run"; and "Pure Apple Vinegar \* \* \* Manufactured, Bottled, and Guaranteed by Monarch Vinegar Works, Kansas City, Mo."

Analyses of samples of the articles by the Bureau of Chemistry of this Department showed the following results:

	Apple cider vinegar.	Pure apple vinegar.	Sunburst brand.	Pure apple cider vinegar.	Monarch brand.
Alcohol (per cent by volume).....	0.90	0.58	1.30	0.83	0.90
Glycerol (gram per 100 cc).....	0.17	0.20	0.20	0.21	0.22
Solids (grams per 100 cc).....	1.23	1.72	1.74	1.67	1.70
Nonsugar solids (grams per 100 cc).....	0.92	1.26	1.25	1.23	1.34
Sugar as invert, before inversion (gram per 100 cc).....	0.37	0.58	0.57	0.53	0.44
Sugar as invert, after evaporation (gram per 100 cc).....	0.31	0.45	0.49	0.44	0.36
Ash (gram per 100 cc).....	0.16	0.22	0.22	0.21	0.22
Alkalinity of soluble ash (cc N/10 acid per 100 cc).....	16.2	23.0	22.4	22.0	23.0
Total phosphoric acid (milligrams per 100 cc).....	9.0	11.5	11.6	11.8	11.3
Acidity as acetic (grams per 100 cc).....	4.49	4.94	4.82	4.83	4.68
Color (degrees, Brewer's scale 0.5-inch cell).....	12.0	11.5	15.0	5.0	13.0
Color removed (per cent).....	50	20	13	50	53
Volatile reducing bodies (gram per 100 cc).....	0.06	0.12	0.08	0.09	0.08

Distilled vinegar or dilute acetic acid added.

Adulteration of the article in each of the shipments was alleged in the information for the reason that a certain substance, to wit, distilled vinegar, or dilute acetic acid, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for apple cider vinegar reduced to 45-grain acid strength (or, for apple cider vinegar, pure cider vinegar, or apple vinegar, as the case might be), which the article purported to be.

Misbranding of the article in one of the shipments of April 16, 1915, and in that of June 18, 1915, was alleged for the reason that the statement regarding the article and the ingredients and substances contained therein appearing on the label, to wit, "Apple Cider Vinegar, reduced to 45 acid strength" (or "Apple Cider Vinegar reduced to 4.5 acetic strength," as the case might be), was false and misleading, in that it indicated to purchasers thereof that the article consisted of apple cider vinegar reduced to 45-grain acid strength, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted of apple cider vinegar reduced to 45-grain acid strength, when, in truth and in fact, it did not, but consisted of, to

wit, a mixture of apple cider vinegar and distilled vinegar, or dilute acetic acid; and for the further reason that it was a mixture of apple cider vinegar and distilled vinegar or dilute acetic acid and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, apple cider vinegar reduced to 45 acid strength (or apple cider vinegar reduced to 4.5 acetic strength, as the case might be).

Misbranding of the article in the shipments of April 27, 1915, April 17, 1915, and in the other shipment of April 16, 1915, was alleged in substance for the reason that the statement regarding the article and the ingredients and substances contained therein appearing on the label, to wit, "Pure Apple Cider Vinegar" (or "Pure Cider Vinegar" or "Pure Apple Vinegar," as the case might be), was false and misleading, in that it indicated to purchasers thereof that it consisted of pure apple cider vinegar (or pure cider vinegar or pure apple vinegar, as the case might be), and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted of pure apple cider vinegar (or pure cider vinegar or pure apple vinegar, as the case might be), when, in truth and in fact, it did not, but consisted of, to wit, a mixture of apple cider vinegar and distilled vinegar, or dilute acetic acid; and for the further reason that it was a mixture of apple cider vinegar and distilled vinegar or dilute acetic acid, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure apple cider vinegar (or pure cider vinegar or pure apple vinegar, as the case might be).

On April 19, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5655. Misbranding of "Stuart's Calcium Wafer Compound." U. S. \* \* \* v. 288 Packages of Stuart's Calcium Wafer Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7518. I. S. No. 10978-1. S. No. C-543.)**

On June 9, 1916, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 288 packages of "Stuart's Calcium Wafer Compound," remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on May 5, 1916, by the F. A. Stuart Co., Marshall, Mich., and transported from the State of Michigan into the State of Louisiana, charging misbranding in violation of the Food and Drugs Act as amended.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements, appearing on the labels of its containers and in the circulars accompanying it, were false and misleading in that they were calculated and tended to convey the belief that the article was entirely harmless and free from danger, although it contained strychnine, which is a poisonous substance.

Misbranding was alleged in substance for the further reason that the following statements regarding the curative and therapeutic effects of the article appearing on the label of the cartons containing the article, to wit: "For eruptions, scrofula \* \* \* constipation, humor, liver troubles \* \* \* and disorders and symptoms arising from impure blood"; on the label of the wooden bottles contained in said cartons, to wit: "For constipation, blood disorders, skin affections, any derangement of blood, bowels, kidneys or liver," and included in the circular accompanying the article, to wit: "Blood troubles and skin diseases succumb to the beneficial effects of Stuart's Calcium Wafer Compound \* \* \* skin diseases are relieved when the blood is charged with this great eradicator. The blood at once feels its influence and eruptions cease and fade away almost beyond belief, so beneficial is its action. No matter what degree of eruptive skin trouble you may have Stuart's Calcium Wafer Compound will purify and enrich the blood"; "For skin diseases, eruptions, boils and pimples, the wafers act beneficially and satisfactorily in many cases, causing the absorption of humors, boils, carbuncles in a few days time"; "The calcium wafer compound will infuse renewed energy and strength into the exhausted nerves, the overworked brain or muscular system \* \* \* containing in concentrated form all the elements to repair nerve tissue and depleted blood," were false and fraudulent for the reason that the article contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On August 8, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5656. Adulteration of scallops. U. S. \* \* \* v. Richard W. Claxton. Plea of nolo contendere. Fine, \$10. (F. & D. No. 7524. I. S. No. 3473-1.)**

On August 10, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court for said District an information against Richard W. Claxton, Washington, D. C., alleging the offering for sale and the sale by said defendant, at the District aforesaid, on January 4, 1916, in violation of the Food and Drugs Act, of a quantity of scallops which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Solids in meat (per cent)-----	16.9
Ash in meat (per cent)-----	.89
Chlorids as sodium chlorid (per cent)-----	.11
Protein (per cent)-----	11.9

The scallops were quite white in appearance and contained 18.4 per cent of liquor by draining 2 minutes. After grinding the sample was rather mushy. Water has been mixed and packed with the scallops.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for scallops, which the article purported to be.

On August 10, 1917, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$10.

*C. F. MARVIN, Acting Secretary of Agriculture.*

**5657. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 30 Barrels, 300 Quarts, and 120 Gallons \* \* \* of \* \* \* Apple Cider Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7543. I. S. No. 11175-1. S. No. C-548.)**

On June 14, 1916, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 barrels, 300 quarts, and 120 gallons of so-called pure apple cider vinegar, remaining unsold in the original unbroken packages at Purcell, Okla., alleging that the article had been shipped on or about April 6, 1916, by the Wallace McLean Vinegar Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Oklahoma, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Elko Brand pure Apple Cider Vinegar."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar or dilute acetic acid had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for pure apple cider vinegar.

Misbranding of the article was alleged for the reason that it was an imitation thereof, and was offered for sale under the distinctive name of another article, and that it was labeled and branded so as to deceive and mislead the purchaser.

On April 12, 1917, the said Wallace McLean Vinegar Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and execution of a good and sufficient bond, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5658. Adulteration and misbranding of black pepper. U. S. \* \* \* v. 1 Barrel of \* \* \* Ground Black Pepper. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 7556. I. S. No. 495-1. S. No. E-657.)**

On June 24, 1916, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel of so-called ground black pepper, remaining unsold in the original unbroken package at Wilmington, Del., alleging that the article had been shipped on or about June 1, 1916, by McCormick & Co., of Baltimore, Md., and transported from the State of Maryland into the State of Delaware, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Banquet Brand Ground Black Pepper. McCormick & Co., Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that a certain substance, to wit, added pepper shells, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

Misbranding of the article was alleged in substance for the reason that the statement on the barrel that it contained ground black pepper was false and misleading in that the barrel contained ground black pepper mixed and packed with added pepper shells, and for the further reason that it was labeled and branded so as to deceive and mislead the purchaser in that the contents were stated to be ground black pepper, whereas the contents were ground black pepper mixed and packed with added pepper shells.

On July 7, 1917, the said McCormick & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5659. Misbranding of "Sloan's Liniment," U. S. \* \* \* v. Dr. Earl S. Sloan (Inc.), a corporation. Plea of nolo contendere. Fine, \$50. (F. & D. No. 7559. I. S. No. 1804-L.)

On August 28, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dr. Earl S. Sloan (Inc.), a corporation, doing business at Philadelphia, Pa., alleging the offering for sale and the sale by said defendant at the district aforesaid, on or about January 3, 1914, in violation of the Food and Drugs Act, as amended, under a written guaranty that the article was not adulterated or misbranded under the Food and Drugs Act, of a quantity of an article labeled in part, "Sloan's Liniment," which was a misbranded article within the meaning of said act, as amended, and which said article, in the identical condition in which received, was shipped by the purchaser thereof, on or about November 29, 1915, from the State of Pennsylvania into the State of Maryland, in further violation of said act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Volatile matter by steam distillation—

By volume (per cent)-----	82
By weight (per cent)-----	81
Solids by direct evaporation (grams per 100 cc)-----	1.419
(per cent)-----	16.54

Ash: Unweighable.

Specific gravity, 25° C./25° C.----- .8579

Preparation consists of a reddish liquid containing essentially turpentine, a light oil having the characteristics of kerosene or coal oil, oil of sassafras, oleo resin of capsicum with indications of the presence of pine oil.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on its labels falsely and fraudulently represented it to be effective for killing pain and as a remedy for rheumatism, sciatica, sore throat, stiff joints, swellings, tonsillitis, croup, enlarged tonsils, enlarged veins, hoarseness, bunions, lameness, proud flesh, pleurisy, quinsy, and acute indigestion; and for the further reason that certain statements included in the booklet accompanying the article falsely and fraudulently represented it as a remedy for acute rheumatism, chronic rheumatism, croup, hoarseness, la grippe, neuralgia, pleurisy, proud flesh, sore throat, sciatica, sprains, stiff joints, tonsillitis and ulcerated teeth, and as effective to remove the pain of neuritis and as a treatment of gout, varicose veins of the legs, and tapeworm, when, in truth and in fact, it was not.

On December 22, 1916, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5660. Misbranding of cottonseed meal. U. S. \* \* \* v. Cotton Seed Products Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 7575. I. S. No. 19087-1.)**

On or about September 26, 1916, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cotton Seed Products Co., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 8, 1915, from the State of Kentucky into the State of Indiana, of a quantity of an article labeled in part, "Eagle Brand Cottonseed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	12.4
Crude protein (per cent)-----	38.2

This product contains less crude protein and more crude fiber than it is labeled to contain.

Misbranding of the article was alleged in the information for the reason that the statement (on the label of the article), to wit, "The Cottonseed Products Company of Louisville, Ky. Guarantees this Eagle Brand Cottonseed Meal to contain not less than \* \* \* 41.0 per cent of crude protein, not more than 10.0 per cent of crude fiber \* \* \*," was false and misleading in that it represented to the purchaser thereof that the article contained not less than 41 per cent of crude protein and not more than 10 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 41 per cent of crude protein and not more than 10 per cent of crude fiber, when, in truth and in fact, it contained less than 41 per cent of crude protein and more than 10 per cent of crude fiber, to wit, approximately 38 per cent of crude protein and approximately 12.4 per cent of crude fiber.

On March 12, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5661. Misbranding of "Dr. O. Phelps Brown's Celebrated Herbal Ointment."**  
**U. S. \* \* \* v. The Kells Co., a corporation. Plea of guilty. Fine,**  
**\$50. (F. & D. No. 7580. I. S. No. 3068-k.)**

On December 19, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Kells Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on January 9, 1915, from the State of New York into the State of Maryland, of a quantity of an article labeled in part, "Dr. O. Phelps Brown's Celebrated Herbal Ointment," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was a mixture of petrolatum and salicylic acid. It contains nothing volatile with steam; no menthol, phenol, or guaiacol; no potassium iodid; no plant extractives or saponifiable fat.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for neuralgia, glandular swellings, sore throat, sharp pains in the chest, croup, pleurisy, quinsy, earache, ear ulcers, sprains, tumors, mumps, white swellings, heart palpitation, scrofula, piles, fistula, pulmonary complaints, severe pains in the stomach, spinal diseases and affection of the heart and liver, when, in truth and in fact, it was not. Misbranding of the article was alleged in substance for the further reason that certain statements included in the booklet accompanying the article falsely and fraudulently represented it as a remedy for sore eyes, all diseases of the skin, and scrofula complaints, when, in truth and in fact, it was not.

On August 1, 1917, defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

**C. F. MARVIN, Acting Secretary of Agriculture.**



**5662 Adulteration and misbranding of vanilla extract. U. S. \* \* \* v. N. H. Shearer & Co., a corporation. Plea of non vult. Fine, \$5. (F. & D. No. 7587. I. S. No. 1751-1.)**

On March 12, 1917, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against N. H. Shearer & Co., a corporation doing business at York, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 14, 1916, from the State of Pennsylvania into the State of West Virginia, of a quantity of an article labeled in part, "Pure Extract Vanilla Bean manufactured by Dr. N. H. Shearer & Co., York, Penna.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	29.5
Total ash (per cent)-----	0.12
Water insoluble ash (per cent)-----	0.02
Water soluble ash (per cent)-----	0.10
Reducing sugar before inversion (per cent)-----	0.95
Reducing sugar after inversion (per cent)-----	18.53
Sucrose, copper reduction (per cent)-----	16.70
Coumarin: None.	
Vanillin (per cent)-----	0.32
Normal lead number-----	0.16
Resins: None.	
Color insoluble in amyl alcohol (Marsh reagent) (per cent)-----	66.5
The product consists of a mixture of pure vanilla extract and a solution of alcohol, water, sugar, coloring matter, and vanillin.	

Adulteration of the article was alleged in the information for the reason that an imitation product composed in part of alcohol, water, sugar, coloring matter, and vanillin, and containing no appreciable amount of extract of vanilla bean, had been substituted in whole for pure extract of vanilla bean, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statement regarding the article and the ingredients and substances contained therein appearing on the label, to wit, "Pure Extract Vanilla Bean," was false and misleading in that it represented that the article was pure extract vanilla bean; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure extract vanilla bean, whereas, in truth and in fact, it was not, but was an imitation product composed in part of alcohol, water, sugar, coloring matter, and vanillin, and contained no appreciable amount of extract vanilla bean; and for the further reason that it was an imitation product, composed as aforesaid, and was offered for sale under the distinctive name of another article, to wit, pure extract vanilla bean.

On March 12, 1917, the defendant company entered a plea of non vult to the information, and the court imposed a fine of \$5.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5663. Misbranding of "Pastillas del Dr. Becker para los rinones y vejiga" (Dr. Becker's tablets for the kidneys and bladder). U. S. \* \* \* v. Adolfo E. Besosa (Dr. Becker Medicine Co.). Plea of guilty. Fine, \$25. (F. & D. No. 7588. I. S. No. 4706-k.)

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Adolfo E. Besosa, trading as Dr. Becker Medicine Co., a corporation, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on June 8, 1915, from the State of New York into the Territory of Porto Rico, of a quantity of an article labeled in part, "Pastillas del Dr. Becker para los rinones y vejiga" (Dr. Becker's tablets for the kidneys and bladder), which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of purple, sugar-coated pills, containing essentially potassium nitrate, oil of turpentine or rosin, a gum, a trace of an unidentified alkaloid, and aromatics.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as effective to combat and cure diseases of the kidneys, bladder, pains in the back, waist, and hips, rheumatism, dropsy, and incontinence of urine, when, in truth and in fact, it was not.

It was further alleged in substance that the article was misbranded for the reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as effective to combat and cure all the symptoms of indisposition of the kidneys and bladder which men, women, children, and old people are victims of, such as pains in the back, hips, and waist, rheumatism, lumbago, sciatica, dropsy, incontinence of urine, blurred eyesight, sexual debility or loss of vigor, inability to sleep well at night, swelling of the feet and calves of the legs, tired and wearied feeling upon arising in the morning, irregularity of menstruation, pains during the period of menstruation, leucorrhea or white flow or yellow flow in married women, young women, and little girls, when, in truth and in fact, it was not.

On November 28, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*



5664. Adulteration and misbranding of "Bannerman's Intravenous Solution." U. S. \* \* \* v. William Bannerman & Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7592. I. S. No. 16260-k.)

On November 6, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William Bannerman & Co., a corporation, Chicago, Ill., alleging shipment by said company, on or about July 19, 1915, in violation of the Food and Drugs Act, from the State of Illinois into the State of Ohio, of a quantity of an article labeled in part, "Bannerman's Intravenous Solution," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Lime (CaO) from ash (gram per 100 cc)-----	0.75
Salicylic acid (gram per 100 cc)-----	.128
Total phenols (gram per 100 cc)-----	.671
Guaiacol (methoxyphenols) (gram per 100 cc)-----	.248
Mercury salts equivalent to mercuric sulphid (HgS) (gram per 100 cc)-----	.015
Albumen, calculated from albuminoid nitrogen (by Kjeldahl process) (gram per 100 cc)-----	.020
Iron salts: None.	

Adulteration of the article was alleged in the information for the reason that it was sold as and for intravenous solution containing to each 10 cubic centimeters: mercury, 0.075 grams; iron, 0.286 grams; calcii salicylicum, 0.26 grams; guaiacol, 0.26; and creosote (beechwood), 0.32 grams, and its strength and purity fell below the professed standard or quality under which it was sold.

Misbranding of the article was alleged for the reason that the statement, to-wit, "Each 10 cc of Bannerman's Solution Contains: Hydrargyri Albuminas Mercury Content 1-1/9 Gr. or 0.075 Gm. Ferri Albuminas Iron Content 4 1/4 Grs. or 0.286 Gm. \* \* \* Calcii Salicylicum 4 Grs. or 0.26 Gm. Guaiacol 4 Grs. or 0.26 Gm. Creosote (Beechwood) 5 Grs. or 0.32 Gm.," borne on its label, regarding the article and the ingredients and substances contained therein, was false and misleading in that it falsely represented that the article contained to each ten cubic centimeters: hydrargyri albuminas mercury 1-1/9 grains or 0.075 gram; ferri albuminas iron content 4 1/4 grains or 0.286 gram; calcii salicylicum 4 grains or 0.26 gram; guaiacol 4 grains or 0.26 gram; creosote (beechwood) 5 grains or 0.32 gram, whereas, in truth and in fact, it did not.

On July 2, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, Acting Secretary of Agriculture.

**5665. Adulteration of tomato catsup. U. S. \* \* \* v. 8 Barrels of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7595. I. S. No. 1003-m. S. No. E-675.)**

On July 28, 1916, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 barrels of tomato catsup, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped on or about July 18, 1916, by the Nonpareil Pickle Works, Jersey City, N. J., and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly and in part of a decomposed and putrid and filthy vegetable substance.

On September 27, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

**5666. Adulteration of milk. U. S. \* \* \* v. Niels Holm. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7596. I. S. No. 16618-k.)**

On February 7, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Niels Holm, Kansas City, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 19, 1915, from the State of Kansas into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Subdivision 1.	Subdivision 2.
Butter fat (per cent)-----	2.4	2.5
Above analysis shows that a part of the butter fat has been abstracted.		

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted.

On April 3, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5667. Adulteration of eggs. U. S. \* \* \* v. Samuel Levy and Samuel Aufrichtig. Pleas of guilty. Fine, \$100. (F. & D. No. 7598. I. S. No. 2890-k.)

On July 8, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Samuel Levy and Samuel Aufrichtig, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on July 8, 1915, from the State of New York into the State of New Jersey, of a quantity of eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the eggs approximated 80 per cent spots and rots.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On September 24, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5668. Adulteration of eggs. U. S. \* \* \* v. Philip Mandelker. Plea of guilty. Fine, \$100. (F. & D. No. 7599. I. S. No. 3260-k.)

On July 8, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Philip Mandelker, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on July 8, 1915, from the State of New York into the State of New Jersey, of a quantity of eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the eggs approximated 80 per cent spots and rots.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On September 24, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5669. Adulteration and misbranding of tomato paste. U. S. \* \* \* v. Italian Importing Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 7614. I. S. No. 3821-1.)

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Italian Importing Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on December 23, 1915, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Eagle Brand Tomato Paste, Vesuvian Preserving Co., Vineland, N. J.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be a very sour-smelling product containing an excessive amount of sand. Small decayed fragments of tomato could be picked from this product, and it was a partially decomposed vegetable product.

Misbranding [adulteration] of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 29, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5670. Misbranding of "Garfield Tea." U. S. \* \* \* v. Garfield Tea Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 7618. I. S. No. 17787-k.)**

On October 13, 1916, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Garfield Tea Co., a corporation, Brooklyn, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 8, 1915, from the State of New York into the State of Oregon, of a quantity of an article labeled in part, "Garfield Tea," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of senna leaf and triticum, a small amount of malva flowers and fruits, and mint stems; also traces of unidentified plant tissue and a small amount of a substance resembling manna.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the label of its package falsely and fraudulently represented it to be effective for the prevention of rheumatism, consumption, dropsy, scrofula, and blood diseases, and for the further reason that certain statements included in the booklet accompanying the article falsely and fraudulently represented it as a cure for piles, and as a remedy for rheumatism, dropsy, tumors, cancer, blood diseases, kidney disease, and for painful and suppressed menstruation, and as an efficient remedy for all cases of female troubles, when, in truth and in fact, it was not.

On January 13, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5671. Adulteration of mineral water. U. S. \* \* \* v. 335 Crates of Mineral Water. Consent decree of condemnation, forfeiture, and destruction. Empty containers ordered released. (F. & D. No. 7620. I. S. Nos. 20680-1, 20681-1, 20682-1, 20683-1. S. No. W-98.)

On August 5, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 335 crates of mineral water, consigned by The Crazy Well Water Co., Mineral Wells, Tex., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about June 14, 1916, and transported from the State of Texas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Bacteriological examination of a sample of the article by the Bureau of Chemistry of this department showed that the number of organisms per cubic centimeter developing at 20° C. ranged from 240 to 34,000 and at 37° from 60 to 1,500 in the 12 bottles examined. *B. coli* were found in 5 cc quantities from 12 bottles, in 1 cc quantities from 4 bottles, in 0.1 cc quantities from 5 bottles, and in 0.01 cc quantities from 1 bottle.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, putrid, and decomposed matter.

On September 18, 1916, the said The Crazy Well Water Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be emptied under the supervision of the United States marshal in such manner as to prevent the same from being used for human consumption, that the empty containers should be released to said claimant, and that the claimant should pay the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5672. Adulteration of oysters. U. S. \* \* \* v. The Pausch Brothers Oyster Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. No. 7630. I. S. Nos. 10367-1, 10368-1.)

On July 24, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Pausch Bros. Oyster Co., a corporation, Port Chester, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on January 1, 1916 (two shipments), from the State of New York into the State of Minnesota, of quantities of oysters, which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	No. 1.	No. 2.
Weight of drained solids (grams)-----	990	948
Weight of free liquor (grams)-----	70	97
Loss on boiling (per cent)-----	55.3	52.0

*Drained oyster meat.*

Total solids (per cent)-----	16.00	16.38
Ash (per cent)-----	1.12	.99
Sodium chlorid (per cent)-----	.08	.04

*Free liquor.*

Sodium chlorid (per cent)-----	.25	.25
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These oysters contained added water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On July 27, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5673. Adulteration of oysters. U. S. \* \* \* v. The Pausch Brothers Oyster Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. No. 7631. I. S. Nos. 10370-1, 10371-1.)

On July 24, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Pausch Bros. Oyster Co., a corporation, Port Chester, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on January 11, 1916 (two shipments), from the State of New York into the State of Minnesota, of quantities of oysters which were adulterated.

Analysis of samples of the article by the Bureau of Chemistry of this department showed the following results:

	No. 1.	No. 2.
Weight of drained solids (grams)-----	847	870
Weight of free liquor (grams)-----	80	87
Loss on boiling (per cent)-----	53.0	55.9

*Drained oyster meat.*

Total solids (per cent)-----	16.35	15.96
Ash (per cent)-----	.84	.90
Sodium chlorid (per cent)-----	.04	.06

*Free liquor.*

Sodium chlorid (per cent)-----	.22	.24
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These oysters contained added water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On July 27, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5674. Adulteration of oysters. U. S. \* \* \* v. The Pausch Brothers Oyster Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. No. 7633. I. S. Nos. 10389-1, 10390-1.)**

On July 24, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Pausch Bros. Oyster Co., a corporation, Port Chester, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on February 29, 1916 (two shipments), from the State of New York into the State of Minnesota, of quantities of oysters which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	No. 1.	No. 2.
Weight of drained solids (grams)-----	1,008	1,059
Weight of free liquor (grams)-----	68	67
Loss on boiling (per cent)-----	51.2	49.9

*Drained oyster meat.*

Total solids (per cent)-----	16.34	16.24
Ash (per cent)-----	.90	.90
Sodium chlorid (per cent)-----	.05	.02

*Free liquor.*

Sodium chlorid (per cent)-----	.25	.25
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These oysters contained added water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On July 27, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

C. F. MARVIN, *Acting Secretary of Agriculture.*



5675. Misbranding of cottonseed meal. U. S. \* \* \* v. United Oil Mills, a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7635. I. S. Nos. 12537-1, 12539-1.)

On September 13, 1916, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United Oil Mills, a corporation, Hope, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 30, 1915 (two shipments), from the State of Arkansas into the State of Ohio, of quantities of an article labeled in part, "Tuxedo Prime Cotton Seed Meal," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	(1)	(2)
Crude fiber (per cent)-----	12.7	13.0
Protein (N.×6.25) (per cent)-----	35.50	35.6
Nitrogen (per cent)-----	5.68	5.70

Protein lower and crude fiber higher than declared.

Misbranding of the article was alleged, in substance, in the information for the reason that the statement regarding the article and the ingredients and substances contained therein appearing on the label, to wit, "Protein 38.62-41.00% \* \* \* Fiber 10.00%," was false and misleading in that it indicated to purchasers thereof that the article contained not less than 38.62 per cent of protein and not more than 10.00 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into believing it contained not less than 38.62 per cent of protein and not more than 10.00 per cent of fiber, when, in truth and in fact, it contained less than 38.62 per cent of protein and more than 10.00 per cent of fiber, to wit, 35.50 (or 35.6) per cent of protein and 12.7 (or 13.00 [13.0]) per cent of fiber.

On May 14, 1917, the defendant company entered a plea of guilty to the first count of the information, and the court imposed a fine of \$25 and costs. The second count of the information charging misbranding of the second consignment, which contained 35.6 per cent of protein and 13 per cent of fiber, was nol-prossed.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5676. Adulteration and misbranding of "California Brandy." U. S. \* \* \***  
**v. I. Goldberg, a corporation. Plea of guilty. Fine, \$25. (F. & D.**  
**No. 7640. I. S. No. 4208-1.)**

On December 20, 1916, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against I. Goldberg, a corporation, Brooklyn, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 8, 1915, from the State of New York into the State of Connecticut, of a quantity of an article labeled in part, "California Brandy I. Goldberg New York," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Proof (degrees) -----	87.8
Fusel oil (grams per 100 liters of 100° proof alcohol) -----	23.5
Esters (as acetic) (grams per 100 liters of 100° proof alcohol) -----	22.0
Aldehydes (as acetic) (grams per 100 liters of 100° proof alcohol) -----	2.6
Furfural (gram per 100 liters of 100° proof alcohol) -----	.3
Paraldehyde test (for caramel): Positive.	

The above analysis shows the presence of a considerable proportion of added neutral spirits and artificial coloring in imitation of brandy.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, neutral spirits, had been substituted in whole or in part for brandy, which the article purported to be.

Misbranding of the article was alleged for the reason that the following statement regarding it and the ingredients and substances contained therein appearing on the label, to wit, "Brandy," was false and misleading in that it indicated to purchasers thereof that the article consisted wholly of brandy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted wholly of brandy, when, in truth and in fact, it did not, but consisted, to wit, of a mixture of neutral spirits and brandy, and for the further reason that it was, to wit, a mixture of neutral spirits and brandy and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "California Brandy."

On March 9, 1917, defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

*C. F. MARVIN, Acting Secretary of Agriculture.*

5677. Misbranding of cottonseed meal. U. S. \* \* \* v. Malcomb M. McInnis. Plea of nolo contendere. Fine, \$25. (F. & D. No. 7641. I. S. No. 4455-1.)

On March 13, 1917, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Malcomb M. McInnis, Meridian, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about April 1, 1916, from the State of Mississippi into the State of North Carolina, of a quantity of an article labeled in part, "Golden Rod Brand Prime Grade Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	16.72
Protein (per cent)-----	31.01
Nitrogen (per cent)-----	4.96
Ammonia (per cent)-----	6.02
Low in protein, nitrogen, and ammonia; high in crude fiber.	

Misbranding of the article was alleged in the information for the reason that the statements appearing on the tag attached to the sacks, regarding the article and the ingredients and substances contained therein, to wit, "Guaranteed to contain Ammonia, 7.50 per cent, Nitrogen, 6.18 per cent, \* \* \* Protein, 38.62 per cent, \* \* \* Fibre 10.00 per cent," were false and misleading in that they indicated to purchasers thereof that the article contained not less than 7.50 per cent of ammonia, 6.18 per cent of nitrogen, 38.62 per cent of protein, and not more than 10.00 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 7.50 per cent of ammonia, 6.18 per cent of nitrogen, 38.62 per cent of protein, and not more than 10.00 per cent of fiber, when, in truth and in fact, it contained less than 7.50 per cent of ammonia, 6.18 per cent of nitrogen, and 38.62 per cent of protein, and contained more than 10.00 per cent of fiber.

On September 17, 1917, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5678. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 5 Barrels and 3 Half Barrels of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7742. I. S. Nos. 11949-m, 11950-m. S. No. C-568.)**

On October 13, 1916, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels and 3 half barrels of vinegar, remaining unsold in the original unbroken packages at Ackerman, Miss., alleging that the article had been shipped on August 7, 1916, by the Wallace McLean Vinegar Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Orchard Maid Brand Pure Apple Cider Vinegar reduced to four per cent acetic strength."

It was alleged in the libel that the product was misbranded and mislabeled and adulterated in that the product was not as labeled, but was mixed with distilled vinegar or dilute acetic acid so as to reduce and lower and injuriously affect its quality and strength, and that it had been artificially colored in a manner whereby inferiority was concealed.

On April 5, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**C. F. MARVIN, Acting Secretary of Agriculture.**

5679. Misbranding of "Floto's Essence Coffee." U. S. \* \* \* v. Theodore D. Floto (George Floto's Sons). Plea of guilty. Fine, \$10. (F. & D. No. 7655. I. S. No. 1284-L.)

On May 15, 1917, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Theodore D. Floto, trading as George Floto's Sons, Brooklyn, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about December 7, 1915, from the State of New York into the State of Pennsylvania, of a quantity of an article labeled in part, "Floto's Essence Coffee," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Caffeine, U. S. P. test: None.

Ash (per cent)----- 5.61

Reducing substances, acid inversion (per cent)----- 37.8

Odor of caramel.

Bitter, burned taste.

Microscopic examination indicated the presence of some starch and some dextrin. Starch grains and vegetable fiber could not be identified.

This product is a mixture of roasted cereal and sugar or molasses.

Misbranding of the article was alleged in substance in the information for the reason that the statement regarding the article and the ingredients and substances contained therein, appearing in conspicuous type on the label, to wit, "Floto's Essence Coffee," not corrected by the statement in insignificant type on the label, "to use with," was false and misleading in that it indicated to purchasers thereof that the article was essence of coffee, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was essence of coffee, when, in truth and in fact, it was not, but was, to wit, a mixture of caramel and vegetable tissues other than coffee. Misbranding was alleged for the further reason that the statements regarding the article and the ingredients and substances contained therein appearing on the label, to wit, "This essence is to be used with pure coffee. It will give the coffee a beautiful color, make it stronger, and will require only half the usual quantity. \* \* \* To make half a gallon of strong coffee, take one tablespoonful of ground coffee and half-teaspoonful of Essence \* \* \* for strong coffee take more essence," were false and misleading in that they indicated to purchasers thereof that the article when used according to directions would make coffee stronger and reduce the usual quantity of coffee required, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the article when used according to directions would make coffee stronger and reduce the usual quantity of coffee required, when, in truth and in fact, the article when used according to directions, or when used in any other manner, would not make coffee stronger and would not reduce the usual quantity of coffee required.

On June 25, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5680. Adulteration of oysters. U. S. \* \* \* v. Benjamin J. Rooks and Benjamin D. Rooks (B. J. Rooks & Son). Pleas of nolo contendere. Fine, \$40. (F. & D. No. 7672. I. S. Nos. 3771-1, 3772-1.)**

On June 23, 1917, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Benjamin J. Rooks and Benjamin D. Rooks, trading as B. J. Rooks & Son, Longmeadow, R. I., alleging the shipment by said defendants, in violation of the Food and Drugs Act, on or about February 24, 1916 (two shipments), from the State of Rhode Island into the State of Massachusetts, of quantities of oysters which were adulterated.

Analyses of samples of the article in each shipment by the Bureau of Chemistry of this department showed the following results:

	No. 1.	No. 2.
Liquor (per cent)-----	7.68	11.91
Meat (per cent)-----	92.32	88.09
Sodium chlorid in liquor (per cent)-----	0.58	0.54
Total solids in meat (per cent)-----	16.01	15.87
Ash in meat (per cent)-----	1.17	1.07
Sodium chlorid in meat (per cent)-----	0.20	0.21
Loss on boiling (per cent)-----	46.4	46.2

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oysters, which the article purported to be.

On June 28, 1917, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$40.

**C. F. MARVIN, *Acting Secretary of Agriculture.***



5681. Misbranding of cottonseed meal. U. S. \* \* \* v. Cotton Seed Products Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 7679. I. S. No. 19097-1.)

On October 23, 1916, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cotton Seed Products Co., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 14, 1915, from the State of Kentucky into the State of Indiana, of a quantity of an article labeled in part, "Dixie Brand Cottonseed Meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Protein (N $\times$ 6.25) (per cent)-----	36.9
Nitrogen (per cent)-----	5.91
Low in protein.	

Misbranding of the article was alleged in the information for the reason that the statement regarding the article and the ingredients and substances contained therein, appearing on the label, to wit: "\* \* \* Humphreys, Godwin Company, of Memphis, Tenn., Guarantees this Dixie Brand Cottonseed Meal to contain not less than \* \* \* 41.0 per cent of crude protein \* \* \*," was false and misleading in that it indicated to purchasers thereof that the article contained not less than 41 per cent of crude protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 41 per cent of crude protein, when, in truth and in fact, it contained less than 41 per cent of crude protein, to wit, 36.9 per cent of crude protein.

On March 12, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5682. Misbranding of cottonseed meal and cake. U. S. \* \* \* v. Mount Pleasant Oil Mill, a corporation. Plea of guilty. Fine, \$50 and Costs. (F. & D. No. 7683. I. S. No. 19988-1.)

On December 8, 1916, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Mount Pleasant Oil Mill, a corporation, Mount Pleasant, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 1, 1916, from the State of Texas into the State of Michigan, of a quantity of an article labeled in part, "Sunset Brand Prime Cottonseed Meal and Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Protein (per cent)-----	36.76
Nitrogen (per cent)-----	5.88
Ammonia (per cent)-----	7.14

Analysis shows that the protein, nitrogen, and ammonia content is less than the guaranty.

Misbranding of the article was alleged in the information for the reason that the statement regarding the article and the ingredients and substances contained therein, appearing on the label, to wit, "Guaranteed Analysis, Ammonia 8 to 8½% \* \* \* protein 41 to 43% \* \* \* nitrogen 6½ to 8%," was false and misleading in that it indicated to purchasers that the article contained not less than 8 per cent of ammonia, 41 per cent of protein, and 6½ per cent of nitrogen, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 8 per cent of ammonia, 41 per cent of protein, and 6½ per cent of nitrogen, when, in truth and in fact, it contained less than the amounts named of ammonia, protein, and nitrogen, to wit, 7.14 per cent of ammonia, 36.76 per cent of protein, and 5.88 per cent of nitrogen.

On March 19, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5683. Misbranding of honey. U. S. \* \* \* v. New England Maple Syrup Co., a corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 7686. I. S. No. 454-L.)

On December 19, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the New England Maple Syrup Co., a corporation, Boston, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 17, 1916, from the State of Massachusetts into the State of New York, of a quantity of an article labeled in part, "Golden Tree Pure Honey, 4 Fluid Ounces, Weight 5 Ounces," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed it to be short weight and short volume.

Misbranding of the article was alleged in the information for the reason that it consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On February 28, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5684. Misbranding of "Cummings Blood Remedy." U. S. \* \* \* v. Edwin D. Richardson, Lessee (F. P. Cummings Co.). Plea of guilty. Fine, \$50. (F. & D. No. 7698. I. S. No. 1784-1.)

On January 18, 1917, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edwin D. Richardson, lessee, trading as F. P. Cummings Co., Roanoke, Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 26, 1916, from the State of Virginia into the State of West Virginia, of a quantity of an article labeled in part, "Cummings Blood Remedy," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Potassium iodid (grams per 100 cc)-----	2.2
Alkaloid (grams per 100 cc)-----	.012
Plant extractive material: Present.	
Sarsaparilla: Indicated.	
Sugars (grams per 100 cc)-----	13.9
Alcohol (per cent by volume)-----	20.6
Mercury: Absent.	
Arsenic: Absent.	

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for white swellings, when, in truth and in fact, it was not.

Misbranding was alleged in substance for the further reason that certain statements included in the circular or pamphlet accompanying the article falsely and fraudulently represented it as a remedy in the treatment of scrofula and for consumption, as a preventive of consumption, as [a] cure for catarrh, heart disease, and syphilis, and as a permanent cure for la grippe, when, in truth and in fact, it was not.

On June 20, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5685. Adulteration of Crazy well water and Natural Gibson well water. U. S. \* \* \* v. 51 Cases and 295 Cases of Crazy Well Water and Natural Gibson Well Water. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 7702. I. S. Nos. 12022-m, 12023-m, 12024-m, 12025-m, 12026-m. S. No. C-563.)

On September 15, 1916, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 51 cases and 295 cases, each containing 12 bottles of Crazy well water, or Natural Gibson well water, as the case might be, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about August 2, 1916, by the Crazy Well Water Co., Mineral Wells, Tex., and transported from the State of Texas into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted in part of filthy, decomposed, and putrid matter.

On December 9, 1916, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5686. Adulteration of horse beans. U. S. \* \* \* v. 723 Sacks \* \* \* of Horse Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7719. I. S. No. 8701-m. S. No. E-687.)**

On September 22, 1916, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 723 sacks, each containing approximately 115 pounds of horse beans, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on August 28, 1916, by Barnard & Bunker, from Orlando, Cal., and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part [of], to wit, about 20 per cent of a filthy, decomposed vegetable substance, infected with worms, which rendered it unfit for human food.

On December 4, 1916, George J. Christgan, Buffalo, N. Y., and the said Barnard & Bunker, San Francisco, Cal., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$8,000, in conformity with section 10 of the act, conditioned in part that the product should be examined under the supervision of a representative of this department and the unfit portion should be eliminated therefrom.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

5687. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 20 Barrels and 10 Half-barrels of \* \* \* Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7725. I. S. Nos. 11946-m, 11947-m. S. No. C-566.)

On September 30, 1916, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 barrels and 10 half-barrels of vinegar, remaining unsold in the original unbroken packages at Corinth, Miss., alleging that the article had been shipped on July 19, 1916, by the Wallace-McLean Vinegar Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "New York Belle Brand Pure Apple Cider Vinegar reduced to 4% acetic strength."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar or dilute acetic acid had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for apple cider vinegar which the label on the article claimed it to be; and further in that the article was colored artificially in a manner whereby inferiority was concealed.

It was alleged that the containers of the article were misbranded in that, instead of containing the product as labeled, they contained a product consisting in part of distilled vinegar or dilute acetic acid, and further that the article was artificially colored in imitation of pure apple cider vinegar.

It was further alleged, in substance, that, instead of the containers having labels and tags showing the true composition of the article, such labels and tags were false and misleading, and deceiving and misleading to the purchaser, and that the product was misbranded in that it was in fact an imitation of, and offered for sale under the distinctive name of, another article.

On April 3, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the empty barrels should be sold at public auction and the proceeds of the sale applied to the payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5688. Misbranding of cottonseed meal. U. S. \* \* \* v. Humphreys-Godwin Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 7731. I. S. No. 4332-1.)

On December 5, 1916, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Humphreys-Godwin Co., a corporation, doing business at Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 25, 1916, from the State of Arkansas into the State of Massachusetts, of a quantity of an article labeled in part, "Forfat Brand \* \* \* Made from Pressed Cotton Seed," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department shows the following results:

Total nitrogen (per cent)----- 5.97

Crude protein (N×6.25) (per cent)----- 37.3

The product contains less protein than is stated on the label.

Misbranding of the article was alleged in substance in the information for the reason that the statement regarding the article and the ingredients and substances contained therein, borne on the tag attached to the sacks, to wit, "Guaranteed Analysis \* \* \* Protein 38.55 to 41%," was false and misleading in that it represented that the article contained not less than 38.55 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 38.55 per cent of protein, whereas, in truth and in fact, it contained less than 38.55 per cent of protein, to wit, approximately 37.3 per cent of protein.

On June 4, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5689. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 5 Barrels of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7741. I. S. No. 11948-m. S. No. C-567.)**

On October 13, 1916, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels of vinegar, remaining unsold in the original unbroken packages at Tupelo, Miss., alleging that the article had been shipped on July 19, 1916, by the Wallace McLean Vinegar Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled "Elko Brand Apple Cider Vinegar reduced by water to four per cent." It was alleged in the libel that the article was misbranded and mislabeled and adulterated in that it was not as labeled, but was mixed with distilled vinegar or dilute acetic acid so as to reduce and lower and injuriously affect its quality and strength, and that it had been artificially colored in a manner whereby inferiority was concealed.

On April 5, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**C. F. MARVIN, Acting Secretary of Agriculture.**



**5690. Misbranding of cottonseed meal and feed meal. U. S. \* \* \* v. Lookout Refining Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7643. I. S. Nos. 4423-1, 4425-1.)**

On October 26, 1916, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Lookout Refining Co., a corporation, Chattanooga, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 10, 1916, and March 16, 1916, from the State of Tennessee into the State of Georgia, of quantities of articles labeled in part, "\* \* \* Cotton Seed Meal \* \* \*" and "\* \* \* Lookout Brand Feed Meal \* \* \*" which were misbranded.

Analysis of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	The Cotton- seed Meal.	The Feed Meal.
Ether extract (per cent)-----	-----	2.84
Protein (N×6.25) per cent-----	36.7	17.60
Nitrogen (per cent)-----	5.87	2.81

The cottonseed meal is low in protein.

The feed meal is low in protein and fat.

Misbranding of the cottonseed meal was alleged in the information for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the tag attached to the sacks containing the article, to wit, "Guaranteed Analysis Protein more than 38.62%," was false and misleading in that it indicated to purchasers thereof that the article contained more than 38.62 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained more than 38.62 per cent of protein, when, in truth and in fact, it did not, but contained a less amount thereof, to wit, 36.7 per cent.

Misbranding of the feed meal was alleged for the reason that the following statements regarding the article and the substances and ingredients contained therein, appearing on the tag attached to the article, to wit, "Guaranteed Analyses Protein 21 per cent Fat 5 per cent," were false and misleading in that they indicated to purchasers thereof that the article contained not less than 21 per cent of protein and 5 per cent of fat, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 21 per cent of protein and 5 per cent of fat, when, in truth and in fact, it did not, but contained 17.6 per cent of protein and 2.84 per cent of fat.

On November 23, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5691. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 5 Half-barrels of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7743. I. S. No. 11951-m. S. No. C-569.)**

On October 13, 1916, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 half-barrels of vinegar, remaining unsold in the original unbroken packages at Grenada, Miss., alleging that the article had been shipped on July 12, 1916, by the Wallace McLean Vinegar Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Elko Brand Apple Cider vinegar reduced by water to four per cent."

It was alleged in the libel that the product was misbranded and mislabeled and adulterated, in that the product was not as labeled, but was mixed with distilled vinegar or dilute acetic acid so as to reduce and lower and injuriously affect its quality and strength, and that it had been artificially colored in a manner whereby inferiority was concealed.

On June 5, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5692. Adulteration and misbranding of poultry food. U. S. \* \* \* v. The Midland Poultry Food Co., a corporation. Plea of guilty. Fine, \$6 and costs. (F. & D. No. 7785. I. S. Nos. 20268-1, 20269-1, 20270-1.)**

On December 27, 1916, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Midland Poultry Food Co., a corporation, Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 6, 1916 (three shipments), from the State of Missouri into the State of California, of quantities of an article labeled in part, "Midland Poultry Food," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	(1)	(2)	(3)
Total ash (per cent)-----	18.0	17.4	16.8
Ash, insoluble in 10 per cent HCl (Sand) (per cent)-----	14.8	12.8	12.6

The results of the analyses show that the product contains added sand.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, sand, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for poultry food, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Poultry Food," borne on the label attached to the sacks, regarding the article, was false and misleading in that it represented that said article consisted exclusively of poultry food, and for the further reason that it was labeled as afore-said so as to deceive and mislead the purchaser into the belief that it consisted exclusively of poultry food, whereas, in truth and in fact, it did not, but consisted of a mixture composed in part of sand.

On December 30, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$6 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5693. Misbranding of cottonseed meal and cake. U. S. \* \* \* v. United Oil Mills, a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7790. I. S. No. 19744-1.)

On December 21, 1916, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United Oil Mills, a corporation, Hope, Ark., alleging shipment, on or about October 26, 1915, by said company, from the State of Arkansas into the State of Michigan, in violation of the Food and Drugs Act, of a quantity of an article labeled in part, "Sunset Brand Prime Cotton Seed Meal and Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude protein (N.×6.25) (per cent)-----	37.9
Crude fiber (per cent)-----	11.6
Total nitrogen (per cent)-----	6.07
Total ammonia (per cent)-----	7.38

The product contains less ammonia, protein, and nitrogen, and more fiber than is stated on the label.

Misbranding of the article was alleged in the information for the reason that the statement, to wit: "Guaranteed analysis:

Ammonia, 8 to 8½%-----	(Not less than 8%)
Protein, 41 to 43%-----	(Not less than 41%)
* * * * *	
Nitrogen, 6½ to 8%-----	(Not less than 6½%)
Fiber (maximum), 8 to 10%-----	(Not more than 10%)"
* * * * *	

borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than 6.5 per cent of nitrogen, and not more than 10 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than 6.5 per cent of nitrogen, and not more than 10 per cent of fiber, whereas, in truth and in fact, it contained less than 8 per cent of ammonia, less than 41 per cent of protein, less than 6.5 per cent of nitrogen, and contained more than 10 per cent of fiber, to wit, approximately 7.38 per cent of ammonia, approximately 37.9 per cent of protein, approximately 6.07 per cent of nitrogen, and approximately 11.6 per cent of fiber.

On May 14, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5694. Adulteration of tomato paste. U. S. \* \* \* v. 60 Cases \* \* \* of Tomato Paste. Consent decree of condemnation, forfeiture, and destruction. Judgment for costs entered. (F. & D. No. 7796. I. S. No. 1819-m. S. No. E-717.)**

On October 25, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 cases, each containing 100 cans of tomato paste, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about September 29, 1916, by the G. J. Biondi Co., Inc., Cliffwood, N. J., and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Eureka Brand Tomato Paste."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in particular, wholly or in part, of a decomposed vegetable substance.

On July 6, 1917, G. J. Biondi, Cliffwood, N. J., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal and that judgment be entered against said claimant for the costs of the proceedings.

**C. F. MARVIN, *Acting Secretary of Agriculture.***



5695. Adulteration of cottonseed meal. U. S. \* \* \* v. Rose City Cotton Oil Mill, a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 7799. I. S. Nos. 19727-1, 19732-1, 19737-1.)

On April 6, 1917, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Rose City Cotton Oil Mill, a corporation, Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 7, 1915, December 6, 1915, and December 4, 1915, from the State of Arkansas into the State of Michigan, of quantities of an article with packages of tags accompanying the article, reading in part, "Own Brand High-Grade Cotton Seed Meal, F. W. Brode & Co. Inc., Memphis, Tenn., jobbers," which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	(1) Shipment of Dec. 7, 1915.	(2) Shipment of Dec. 6, 1915.	(3) Shipment of Dec. 4, 1915.
Crude fiber (per cent)-----	15.20	15.12	15.14
Crude protein (N. x 6.25) (per cent)---	35.60	33.75	33.20
Total nitrogen (per cent)-----	5.70	5.40	5.31
Total ammonia (per cent)-----	6.93	6.55	6.44
Ether extract (crude fat) (per cent)---	----	----	5.15

Nos. 1 and 2 contain less ammonia, protein, and nitrogen and more crude fiber than is declared on the label.

No. 3 is lower in protein, ammonia, nitrogen, and fat and higher in crude fiber than declared.

Adulteration of the article in the shipments on December 7 and December 6, 1915, was alleged in the information for the reason that a certain substance, to wit, cottonseed meal containing less than 8 per cent of ammonia, 41 per cent of protein, and 6.5 per cent of nitrogen, and more than 10 per cent of fiber, had been substituted for cottonseed meal containing not less than 8 per cent of ammonia, 41 per cent of protein, and 6.5 per cent of nitrogen, and not more than 10 per cent of fiber, which the article purported to be.

Adulteration of the article in the shipment of December 4, 1915, was alleged for the reason that a certain substance, to wit, cottonseed meal containing less than 8 per cent of ammonia, 41 per cent of protein, 6 per cent of fat, and 6.5 per cent of nitrogen, and more than 10 per cent of fiber, had been substituted for cottonseed meal containing not less than 8 per cent of ammonia, 41 per cent of protein, 6 per cent of fat, and 6.5 per cent of nitrogen, and not more than 10 per cent of fiber, which the article purported to be.

On April 16, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5696. Misbranding of cottonseed meal and cottonseed cake. U. S. \* \* \***  
**v. Apache Cotton Oil & Mfg. Co., a corporation. Plea of guilty.**  
**Fine, \$50. (F. & D. No. 7806. I. S. No. 16068-1.)**

On February 9, 1917, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Apache Cotton Oil & Mfg. Co., a corporation, Chickasha, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 20, 1916, from the State of Oklahoma into the State of Iowa, of quantities of articles labeled in part, "Owl Brand High-grade Cotton Seed Meal," which were misbranded.

Analysis of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	Cottonseed meal.	Cottonseed cake.
Crude fiber (per cent)-----	11.43	11.85
Nitrogen (per cent)-----	6.23	6.16
Protein (N×6.25) (per cent)-----	38.94	38.50

The above examination shows the products to be low in protein and nitrogen and high in crude fiber.

Misbranding of the cottonseed meal was alleged in the information for the reason that the statement borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, to wit, "Guaranteed analysis \* \* \* Protein 41%, Fiber, maximum 10%," was false and misleading in that it represented that the article contained not less than 41 per cent of protein and not more than 10 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 41 per cent of protein and not more than 10 per cent of fiber, whereas, in truth and in fact, it contained less than 41 per cent of protein and more than 10 per cent of fiber, to wit, approximately 38.94 per cent of protein and 11.43 per cent of fiber.

Misbranding of the cottonseed cake was alleged for the reason that the statement borne on the tags attached to the sacks regarding the article and the ingredients and substances contained therein, to wit, "Guaranteed analysis \* \* \* Protein 41%, Fiber, maximum, 10%," was false and misleading in that it represented that the article contained not less than 41 per cent of protein and not more than 10 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 41 per cent of protein and not more than 10 per cent of fiber, whereas, in truth and in fact, it contained less than 41 per cent of protein and more than 10 per cent of fiber, to wit, approximately 38.50 per cent of protein and 11.85 per cent of fiber.

On February 27, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

**C. F. MARVIN, Acting Secretary of Agriculture.**

**5697. Adulteration of canned cherries. U. S. \* \* \* v. 60 Cases of Canned Cherries. Consent order for release of good portion and for destruction of unfit portion. (F. & D. No. 7811. I. S. No. 1421-m. S. No. E-725.)**

On October 30, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 cases of canned cherries, consigned on or about October 22, 1916, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Atlantic & Pacific Tea Co., Boston, Mass., and transported from the State of Massachusetts into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted largely of swelled and leaking cans, and said cans contained a decomposed vegetable substance.

On November 14, 1916, W. W. Boyer & Co., Baltimore, Md., claimants, having consented to a decree, and it appearing to the court that certain of the goods were adulterated and part of them sound, it was ordered by the court that said claimants should be authorized and permitted to examine and assort the goods under the supervision of a representative of this department, and that the good portion should be released to said claimants upon payment of the costs of the proceedings, and that the unfit portion should be destroyed by the United States marshal.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

5698. Misbranding of cottonseed meal and cake. U. S. \* \* \* v. Dixie Cotton Oil Mill, a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 7817. I. S. No. 19987-1.)

On January 29, 1917, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dixie Cotton Oil Mill, a corporation, Argenta, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 28, 1915, from the State of Arkansas into the State of Michigan, of a quantity of an article labeled in part, "Sunset Brand Prime Cotton Seed Meal and Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ether extract (per cent)-----	7.14
Crude fiber (per cent)-----	12.35
Protein (N×6.25) (per cent)-----	37.8
Nitrogen (per cent)-----	6.05
Ammonia (per cent)-----	7.34

Low in ammonia, protein, and nitrogen; high in fiber.

Misbranding of the article was alleged in the information for the reason that the statement, to wit: "Guaranteed Analysis:

Ammonia, 8 to 8½%-----	(Not less than 8%)
Protein, 41 to 43%-----	(Not less than 41%)
* * * * *	
Nitrogen, 6½ to 8%-----	(Not less than 6½%)
* * * * *	

Fiber (maximum), 8 to 10%----- (Not more than 10%)"

borne on the tags attached to the sacks regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than 6½ per cent of nitrogen, and not more than 10 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than 6½ per cent of nitrogen, and not more than 10 per cent of fiber, whereas, in truth and in fact, it contained less than 8 per cent of ammonia, less than 41 per cent of protein, less than 6½ per cent of nitrogen, and contained more than 10 per cent of fiber, to wit, approximately 7.34 per cent of ammonia, approximately 37.8 per cent of protein, approximately 6.05 per cent of nitrogen, and 12.35 per cent of fiber.

On April 24, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5699. **Misbranding of cottonseed meal.** U. S. \* \* \* v. **Houston County Oil Mill & Mfg. Co., a corporation.** **Plea of nolo contendere.** **Verdict of guilty.** **Fine, \$50 and costs.** (F. & D. No. 7818. I. S. No. 19955-1.)

On January 15, 1917, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Houston County Oil Mill & Mfg. Co., a corporation, Crockett, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 15, 1916, from the State of Texas into the State of Iowa, of a quantity of an article labeled in part, "Imperial Cotto Brand Choice Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ether extract (crude fat) (per cent)-----	6.7
Crude fiber (per cent)-----	11.8
Crude protein (per cent)-----	39.9
Total nitrogen (per cent)-----	6.38
Total ammonia (per cent)-----	7.76

It contains less ammonia, nitrogen, protein, and crude fat, and more crude fiber than is declared on the label.

Misbranding of the article was alleged in the information for the reason that the statement borne on the tags attached to the sacks regarding the article and the ingredients and substances contained therein, to wit,

"Guaranteed Analysis	Not Less Than
Ammonia -----	8.00%
Nitrogen -----	6.50%
Protein -----	41.00% to 45.00%
Crude Fat-----	8.00%
Crude Fibre (Maximum)-----	9.00% "

was false and misleading in that it represented that the article contained not less than 8 per cent of ammonia, 6.50 per cent of nitrogen, 41 per cent of protein, and 8 per cent of crude fat, and not more than 9 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 8 per cent of ammonia, 6.50 per cent of nitrogen, 41 per cent of protein, and 8 per cent of crude fat, and not more than 9 per cent of crude fiber, whereas, in truth and in fact, it contained less than 8, 6.50, 41, and 8 per cent of ammonia, nitrogen, protein, and crude fat, respectively, and more than 9 per cent of crude fiber, to wit, 7.76 per cent of ammonia, approximately 6.38 per cent of nitrogen, approximately 39.9 per cent of protein, 6.7 per cent of crude fat, and 11.8 per cent of crude fiber.

On January 23, 1917, the defendant company entered a plea of *nolo contendere* to the information, and the court charged the jury to return a verdict of guilty, and upon the foregoing verdict the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5700. Adulteration of grapefruit. U. S. \* \* \* v. Scalzo-Gunn-Fiorita Fruit Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7721. I. S. No. 10484-1.)**

On November 28, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Scalzo-Gunn-Fiorita Fruit Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 19, 1915, from the State of Missouri into the State of Illinois, of a quantity of grapefruit which was adulterated. The article was labeled in part, "This fruit is selected and carefully packed."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Fourteen units out of 32 were entirely free from green color.  
Balance only very slightly green.

	Entirely yellow fruit.	Slightly green fruit.
Solids (per cent)-----	8.96	8.55
Total acid as citric (per cent)-----	1.44	1.44
Ratio citric acid to solids-----	1:6.2	1:5.9

The results of analysis show that the grape fruit was not fully matured.

Adulteration of [the] article was alleged in the information for the reason that it was colored in a manner whereby its inferiority was concealed.

On November 6, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*



# INDEX TO NOTICES OF JUDGMENT 5651 TO 5710.

	N. J. No.		N. J. No.
Bannerman's intravenous solution. <i>See</i> Solution.		Feed—Continued.	
Beans:		meal:	
horse:		Lookout Refining Co-----	5690
Barnard & Bunker-----	5686	poultry:	
Becker's, Dr., tablets for the kidneys and bladder. <i>See</i> Tablets.		Midland Poultry Food Co--	5692
Bladder tablets. <i>See</i> Tablets.		Floto's essence for coffee. <i>See</i>	
Blood remedy. <i>See</i> Remedy.		Essence.	
Brandy:		Garfield tea. <i>See</i> Tea.	
California:		Grapefruit:	
Goldberg, I-----	5676	Scalzo-Gunn - Fiorita Fruit	
Brown's, Dr. O. Phelps, celebrated herbal ointment. <i>See</i> Ointment.		Co-----	5700
Calcium wafer compound, Stuart's. <i>See</i>		Honey:	
Compound.		New England Maple Syrup	
California brandy. <i>See</i> Brandy.		Co-----	5683
Canned cherries. <i>See</i> Cherries.		Horse beans. <i>See</i> Beans.	
Catsup, tomato. <i>See</i> Tomato catsup.		Kidney tablets. <i>See</i> Tablets.	
Cherries:		Liniment:	
canned:		Sloan's:	
Atlantic & Pacific Tea Co--	5697	Sloan, Dr. Earl S-----	5659
Coffee, essence for. <i>See</i> Essence.		Milk:	
Compound:		Holm, Niels-----	5666
Stuart's calcium wafer:		Mineral water. <i>See</i> Water.	
Stuart, F. A., Co-----	5655	Ointment:	
Cottonseed meal and cake. <i>See</i> Feed.		Dr. O. Phelps Brown's herbal:	
Crazy well water. <i>See</i> Water.		Kells Co-----	5661
Cummings blood remedy. <i>See</i> Rem- edy.		Oysters:	
Eggs:		Pausch Bros. Oyster Co--	5672, 5673, 5674
Aufrichtig, Samuel-----	5667	Rooks, B. J., & Son-----	5680
Levy, Samuel-----	5667	Pastillas del Dr. Becker para los rinones y vejiga. <i>See</i> Tablets.	
Mandelker, Phillip-----	5668	Pepper:	
Essence:		McCormick & Co-----	5653
for coffee:		Poultry food. <i>See</i> Feed.	
Floto's, George, Sons-----	5679	Puree, tomato. <i>See</i> Tomato puree.	
Extract:		Purified wool fat. <i>See</i> Wool fat.	
vanilla:		Remedy:	
Shearer, N. H., & Co-----	5662	blood:	
Feed:		Cummings, F. P., Co-----	5684
cottonseed meal:		Scallops:	
Cotton Seed Products		Claxton, Richard W-----	5656
Co-----	5660, 5681	Sloan's liniment. <i>See</i> Liniment.	
Houston County Oil Mill & Mfg. Co-----	5699	Solution:	
Humphreys-Godwin Co-----	5688	Bannerman's intravenous:	
Lookout Refining Co-----	5690	Bannerman, Wm., & Co---	5664
McInnis, Malcomb M-----	5677	Stuart's calcium wafer compound. <i>See</i> Compound.	
Rose City Cotton Oil Mill--	5695	Tablets:	
United Oil Mills-----	5675	kidney and bladder, Dr. Becker's:	
cottonseed meal and cake:		Becker, Dr., Medicine Co--	5663
Apache Cotton Oil & Mfg. Co-----	5696	Tea:	
Dixie Cotton Oil Mill-----	5698	Garfield:	
Mount Pleasant Oil Mill--	5682	Garfield Tea Co-----	5670
United Oil Mills-----	5693	Tomato, catsup:	
		Nonpareil Pickle Works--	5665

	N. J. No.		N. J. No.
Tomato:		Water:	
paste:		crazy well:	
Italian Importing Co-----	5669	Crazy Well Water Co-----	5685
Biondi, G. J., Co-----	5694	mineral:	
puree:		Crazy Well Water Co-----	5671
Page, Thomas, Canning Co-	5653	natural Gibson well:	
Vanilla extract. <i>See</i> Extract.		Crazy Well Water Co-----	5685
Vinegar:		Wool fat, purified:	
Monarch Vinegar Works--	5654	Hilton Chemical Co-----	5652
Wallace McLean Vinegar			
Co-----	5651,		
5657, 5678, 5687, 5689, 5691			





# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 5701-5750.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 16, 1918.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5701. Misbranding of "Hills Honey and Tar Compound." U. S. \* \* \* v. Laurence E. Cash (New York Drug Concern). Plea of guilty. Fine, \$25. (F. & D. No. 7740. I. S. No. 2391-1.)**

On January 22, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Laurence E. Cash, trading under the name of the New York Drug Concern, New York, N. Y., alleging shipment by said defendant, on September 24, 1915, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Florida, of a quantity of an article labeled in part, "Hills Honey and Tar Compound," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Solids (per cent)-----	57.3
Ash (per cent)-----	0.05
Sucrose (per cent)-----	28.0
Reducing sugars as invert (per cent)-----	28.9
Thymol (per cent)-----	0.15
Alcohol (per cent by volume)-----	7.9

The product consists essentially of water, alcohol, sugars, menthol, thymol, and a small amount of a substance similar to oil of tar.

It is alleged, in substance, in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for asthma, catarrh, croup, and headaches, and as treatment for croup, grippe, tonsillitis, and whooping cough, when, in truth and in fact, it was not.

On February 13, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5702. Misbranding of "Homenta." U. S. \* \* \* v. Laurence E. Cash (New York Drug Concern). Plea of guilty. Fine, \$25. (F. & D. No. 7745. I. S. No. 3605-1.)

On January 22, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Laurence E. Cash, trading under the name of the New York Drug Concern, New York, N. Y., alleging shipment by said defendant, on April 3, 1916, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Georgia, of a quantity of an article labeled in part "Homenta," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Solids (per cent) .....	61.34
Ash: Trace.	
Sucrose (per cent) .....	60.1
Reducing sugars as invert (per cent) .....	1.6
Alcohol (per cent by volume) .....	4.6
Ammonia (per cent) .....	0.096

The product is a dark-colored liquid with a small amount of oil floating on top or emulsified in the liquid. It consists essentially of menthol, thymol, ammonia, sugar, water, and alcohol.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a treatment for catarrh, headaches, croup, corysa [coryza], asthma, hay fever, tonsilitis, grippe, measles, neuralgia, whooping cough, and weak lungs, and as a remedy for tuberculosis, weak eyes, and semideafness caused by catarrh, and as a preventive of pneumonia, when, in truth and fact, it was not.

On February 13, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5703. Misbranding of "Di-Col-Q." U. S. \* \* \* v. Laurence E. Cash (New York Drug Concern). Plea of guilty. Fine, \$25. (F. & D. No. 7749. I. S. No. 3606-1.)**

On January 22, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Laurence E. Cash, trading under the name of the New York Drug Concern, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on April 3, 1916, from the State of New York into the State of Georgia, of a quantity of an article labeled in part, "Di-Col-Q," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Mineral oil, not less than (per cent)-----	9.8
Chloroform (per cent by volume)-----	5.05
or (minims per fluid ounce)-----	24.2
or (drops per fluid ounce)-----	101

The product is a green-colored oil with a strong smell of pine oil. It consists essentially of pine oil, chloroform, mineral oil, and green dye.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for chicken cholera, eczema, hog cholera, all cases of horse colic, indigestion, all cases of mange, and tetter, when, in truth and in fact, it was not. Misbranding was alleged in substance for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a remedy for cholera, diarrhea, dysentery, fits and spasms, eruptions, erysipelas, headaches, hives, inflammation, all kinds of mange, neuralgia, pimples, rheumatism, croup, and sore throat, cholera and roup in poultry, in all cases of colic in horses, mules, and cattle, for hog cholera, blind staggers in horses, cattle, and hogs, piles and kidney disease, all cases of mange on dogs and cats, and effective to prevent pitting in smallpox, when, in truth and in fact, it was not.

On February 13, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

**C. F. MARVIN, Acting Secretary of Agriculture.**

**5704. Adulteration of tomatoes. U. S. \* \* \* v. 300 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7820. I. S. No. 2524-m. S. No. E-729.)**

On November 2, 1916, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and and condemnation of 300 cases of canned tomatoes, remaining unsold in the original unbroken packages at the Borough of Richmond, New York, N. Y., alleging that the article had been shipped on or about October 3, 1916, by C. W. Baker & Sons, Waterview, Va., and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Red King Brand Tomatoes \* \* \*. Packed by the Waterview Packing Co., Waterview, Va."

Adulteration of the article was alleged in substance in the libel for the reason that added water had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for the article.

On November 21, 1916, the Waterview Packing Co., Waterview, Va., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

**5705. Adulteration of condensed milk. U. S. \* \* \* v. 32 Barrels \* \* \* of Condensed Milk. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 7840. I. S. No. 10748-m. S. No. C-583.)**

On November 9, 1916, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 32 barrels of condensed milk, remaining unsold in the original unbroken packages at Hope, Kans., alleging that the article had been shipped on or about November 2, 1916, by the Crescent Creamery Co., Kansas City, Mo., and transported from the State of Missouri into the State of Kansas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed animal substance.

On November 10, 1916, the said Crescent Creamery Co., claimant, having filed its stipulation, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal and that said claimant should pay the costs of the proceedings.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

5706. Adulteration and misbranding of olive oil. U. S. \* \* \* v. S. Cases \* \* \* of \* \* \* Olive Oil. Default decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7862. I. S. No. 1062-m. S. No. E-751.)

On November 20, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of eight cases of olive oil, consigned by the Italian Importing Co., Elizabeth, N. J., remaining unsold in the original unbroken packages at Derry, Pa., alleging that the article had been shipped and transported from the State of New Jersey into the State of Pennsylvania, and was received at Derry, Pa., on or about October 12, 1916, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Finest quality Olive Oil Extra Pure of Termini, Imerese, Italy, Sicilia, Italia.  $\frac{1}{2}$  gal. net. Guaranteed absolutely pure."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of cottonseed oil which had been mixed and packed with and substituted for olive oil.

Misbranding was alleged in substance for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil, when, in fact, it was not, but consisted in whole or in part of cottonseed oil which had been mixed and packed with and substituted for olive oil; for the further reason that it was in package form and failed to bear a statement of the quantity of the contents; and for the further reason that the cans contained less than the quantity indicated on the label.

On August 24, 1917, P. Battaglia Bros., Derry, Pa., having filed a claim for the product, so much of the default decree of condemnation and forfeiture theretofore entered, as ordered the destruction of the product, was revoked, and it was ordered by the court that the product should be released to said claimants upon payment of the costs of the proceedings and execution of a bond in the sum of \$500 (this bond also covers the release of 23 boxes of macaroni, F. & D. No. 7894, N. J. No. 5714), in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5707. Misbranding of macaroni. U. S. \* \* \* v. 15 Cases of Macaroni.**  
**Default decree of condemnation, forfeiture, and destruction.**  
 (F. & D. No. 7870. I. S. No. 1061-m. S. No. E-753.)

On November 20, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 cases of macaroni, remaining unsold in the original unbroken packages at Mount Pleasant, Pa., alleging that the article had been shipped on or about August 10, 1916, by the Italian Importing Co., Elizabeth, N. J., and transported from the State of New Jersey into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Electric Factory Gran Prix Bordeaux, 1902. Giuseppe de Nicola, Manufacturer of Macaroni and Fancy Paste. Trade Mark Horse Brand. Extra Fine Quality. Naples, Italy." In addition the label bore pictorial representations of horse and gold medals.

Misbranding of the article was alleged in the libel for the reason that it was labeled and branded so as to deceive and mislead the purchaser; that is to say, the appearance and construction of the label conveyed the impression that the goods were of foreign manufacture, when, in truth and in fact, they were of domestic manufacture.

On August 7, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*



5708. Adulteration and misbranding of sweet milk chocolate, sweet real milk chocolate, and cocoa, and adulteration of chocolate liquor. U. S. \* \* \* v. Massachusetts Chocolate Co., a corporation. Plea of nolo contendere. Fine, \$100. (F. & D. No. 7882. I. S. Nos. 457-1, 2034-1, 845-k, 1467-k, 1747-k.)

On May 29, 1917, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Massachusetts Chocolate Co., a corporation, Boston, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 15, 1914, and April 7, 1915, from the State of Massachusetts into the State of Pennsylvania, of quantities of articles labeled in part, "Wan Eta Twin Bars Sweet Milk Chocolate" and "Wan Eta Sweet Real Milk Chocolate," which were adulterated and misbranded, and on December 25, 1914, and October 15, 1915 from the State of Massachusetts into the States of New Jersey and New York, of quantities of an article shipped in response to orders for "\* \* \* pure chocolate liquor \* \* \*" and "\* \* \* chocolate liquor," respectively, and described in the bills of lading as chocolate and labeled in part "Red Bird Liquor" or "Red Bird Liq.," which was adulterated, and on May 3, 1916, from the State of Massachusetts into the State of Pennsylvania, of a quantity of an article labeled in part "Wan Eta Cocoa," which was adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	"Sweet milk chocolate."	"Sweet real milk chocolate."
Sucrose (per cent)-----	56.80	59.55
Lactose (polarization) (per cent)-----	.8	1.50
Lactose (reduction) (per cent)-----	.84	1.64
Casein -----	Trace.	.92
Fat (per cent)-----	30.22	33.10
Butter fat (per cent)-----	2.8	.74
Total milk solids (estimated) (per cent)-----	3.0	

Examination shows the products to consist of sweet chocolate containing a small amount of milk.

The liquor shipped on December 25, 1914:

Total ash (per cent)-----	5.75
Water-soluble ash (per cent)-----	2.31
Water-insoluble ash (per cent)-----	3.44
Acid-insoluble ash (per cent)-----	0.92

Microscopical examination shows an excessive amount of cocoa shells present. The product contains excessive cocoa shells and dirt.

The liquor shipped on October 15, 1915:

Crude fiber (per cent)-----	3.64
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Microscopical examination shows an excessive amount of cocoa shells present in the product.

The cocoa shipped on May 3, 1916:

Total ash (per cent)-----	5.78
Water-soluble ash (per cent)-----	2.47
Water-insoluble ash (per cent)-----	3.31
Acid-insoluble ash (per cent)-----	0.55
Crude fiber (per cent)-----	6.82
Fat (per cent)-----	23.53

The product consists of a mixture of cocoa and cacao shells.

Adulteration of the "Sweet Milk Chocolate" in the shipment of September 15, 1914, was alleged in the information for the reason that a product, to wit, a sweet chocolate, which contained added butter fat and a trace of sweet milk chocolate, had been substituted wholly for sweet milk chocolate, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement borne on its label regarding the article and the ingredients and substances contained therein, to wit, "Sweet Milk Chocolate," was false and misleading in that it represented that the article consisted wholly of sweet milk chocolate, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of sweet milk chocolate, whereas, in truth and in fact, it did not, but consisted of, to wit, a sweet chocolate which contained added butter fat and which contained only a trace of sweet milk chocolate. Misbranding of the article was alleged for the further reason that it was a food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Adulteration of the chocolate liquor in the shipment of December 25, 1914, was alleged for the reason that substances, to wit, cocoa shells and dirt or sand, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in whole or in part for chocolate liquor, which the article purported to be.

Adulteration of the "Sweet Real Milk Chocolate" in the shipment of April 7, 1915, was alleged for the reason that a product, to wit, a sweet chocolate, which contained little or no milk, had been substituted in whole or in part for sweet real milk chocolate, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement borne on the cartons containing the article regarding it and the ingredients and substances contained therein, to wit, "Sweet Real Milk Chocolate," was false and misleading in that it represented that the article consisted wholly of sweet real milk chocolate, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of sweet real milk chocolate, whereas, in truth and in fact, it did not, but consisted of a sweet chocolate which contained little or no milk. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Adulteration of the "Chocolate Liquor" in the shipment of October 15, 1915, was alleged for the reason that a substance, to wit, cocoa shells, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in whole or in part for chocolate liquor, which the article purported to be.

Adulteration of the "Cocoa" in the shipment of May 3, 1916, was alleged for the reason that a substance, to wit, cacao shells, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength and had been substituted in part for cocoa, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement borne on its label regarding the article and the ingredients and substances contained therein, to wit, "Cocoa," was false and misleading in that it represented that said article consisted of cocoa, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted of cocoa, whereas, in truth and in fact, it did not, but consisted of, to wit, cocoa and added cacao shells.

On July 9, 1917, the defendant company entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5709. Adulteration and misbranding of water. U. S. \* \* \* v. 50 Cases of Water. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7883. I. S. No. 12043-m. S. No. C-586.)

On November 28, 1916, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of water, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on September 23, 1916, by the Crazy Well Water Co., Mineral Wells, Tex., and transported from the State of Texas into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Natural Gibson Well Water."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, decomposed, and putrid animal and vegetable substances, and, further, that it contained an excessive number of bacteria, including *B. coli*.

Misbranding of the article was alleged in substance for the reason that it was food in package form, and the quantity of the contents of the packages was not stated on the outside thereof in terms of weight, measure, or numerical count.

On December 23, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**G. F. MARVIN, *Acting Secretary of Agriculture.***

**5710. Misbranding of "Dr. Martel's Female Pills." U. S. \* \* \* v. Ellis B. Kittson (French Drug Co.). Plea of guilty. Fine, \$5. (F. & D. No. 7885. I. S. No. 3826-1.)**

On June 8, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ellis B. Kittson, trading as the French Drug Co., Newark, N. J., alleging shipment by said defendant, on October 11, 1915, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Dr. Martel's Female Pills," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

White tablets:

Average weight of 1 tablet (gram)-----	0.67
Total alkaloids per tablet (gram)-----	0.0009
Caffeine: Trace.	
Strychnine: Trace.	
Quinine: Absent.	
Aloes: Present.	
Licorice: Present.	
Ferrous and ferric sulphates: Present.	

Black pills:

Average weight of 1 pill (gram)-----	0.33
Total alkaloid per pill (gram)-----	0.0003
Caffeine: Trace.	
Strychnine: Trace.	
Quinine: Absent.	
Aloes: Present.	
Licorice: Present.	
Ferrous and ferric sulphates: Present.	

It was alleged in substance in the information that the article was misbranded for the reason that the following statements appearing on the label, to wit, "Dr. Martel's Female Pills \* \* \* A remedy for amenorrhea (suppression of the menses) dysmenorrhea (painful menstruation) \* \* \*," falsely and fraudulently represented it as a remedy for amenorrhea and dysmenorrhea, when, in truth and in fact, it was not. Misbranding was alleged in substance for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as effective to impart to the female reproductive organs the proper functional action nature demands in normal, healthy women; to reestablish the proper action of the generative organs by restoring their vitality and as a treatment for congestive inflammatory conditions of the uterus and ovary which are accompanied with unusual pain, and for the nervous and mental disturbances of the menopause, which include hysteria, melancholia, moroseness, and despondency, when, in truth and fact, it was not.

On July 10, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5711. Misbranding of "Dr. Martel's Special Female Pills." U. S. \* \* \*  
v. Ellis B. Kittson (French Drug Co.). Plea of guilty. Fine, \$5.  
(F. & D. No. 7886. I. S. No. 3880-1.)**

On June 6, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ellis B. Kittson, trading as the French Drug Co., of Newark, N. J., alleging shipment by said defendant, on May 18, 1916, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Dr. Martel's Special Female Pills," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist of brown pills, coated with iron oxid, sugar, and calcium carbonate, and containing essentially aloes, ferrous sulphate, and an unidentified alkaloid. Ginger indicated. Weight per pill, 0.57 gram.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a remedy for disturbances of the menstrual functions and as effective to impart to the female reproductive organs the proper functional action nature demands in normal, healthy women; to reestablish the proper action of the generative organs by restoring their vitality; as a treatment for congestive and inflammatory conditions of the uterus and ovary which are accompanied with unusual pain; as a remedy for amenorrhea, as a relief for, and treatment of, menorrhagia and profuse menstruation, as a preventive of profuse flow, and as a treatment for the nervous and mental disturbances of the menopause which include hysteria, melancholia, moroseness, and despondency, when, in truth and in fact, it was not.

On July 10, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

**C. F. MARVIN, Acting Secretary of Agriculture.**

**5712. Misbranding of "Dr. Martel's Female Pills." U. S. \* \* \* v. Ellis B. Kittson (French Drug Co.). Plea of guilty. Fine, \$5. (F. & D. No. 7887. I. S. No. 3881-L.)**

On June 8, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ellis B. Kittson, trading as the French Drug Co., Newark, N. J., alleging shipment by said defendant, on May 18, 1916, in violation of the Food and Drugs Act as amended, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Dr. Martel's Female Pills," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that this product consisted of white and black coated pills. The white ones were coated with sugar, starch, and calcium carbonate, and contained essentially aloes, ferrous sulphate, and an unidentified alkaloid. Ginger indicated. Average weight per pill, 0.74 gram.

The black pills were gelatin coated, and contained essentially aloes, ferrous sulphate, and an unidentified alkaloid. Ginger indicated. Average weight per pill, 0.33 gram.

It was alleged in substance in the information that the article was misbranded for the reason that the statements appearing on the label, to wit, "Dr. Martel's Female Pills \* \* \* A remedy for amenorrhea (suppression of the menses), dysmenorrhea (painful menstruation) \* \* \*," falsely and fraudulently represented it as a remedy for amenorrhea and dysmenorrhea, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as effective to impart to the female reproductive organs the proper functional action nature demands in normal, healthy women, to reestablish the proper action of the generative organs by restoring their vitality, as a treatment for congestive and inflammatory conditions of the uterus and ovary which are accompanied with unusual pain and as a treatment for the nervous and mental disturbances of the menopause which include hysteria, melancholia, moroseness, and despondency, when, in truth and in fact, it was not.

On July 10, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5713. Adulteration of evaporated apples. U. S. \* \* \* v. 1137 Boxes of Evaporated Apples. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7892. I. S. No. 2168-m. S. No. E-762.)**

On November 29, 1916, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,137 boxes of evaporated apples, remaining unsold in the original unbroken packages at City of Suspension Bridge, N. Y., alleging that the article had been shipped on November 24, 1916, by O. J. Delmarle & Co., Rochester, N. Y., and was being transported from the State of New York into the Dominion of Canada, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that excessive moisture had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for evaporated apples.

On December 5, 1916, O. J. Delmarle, Rochester, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act, conditioned in part that the article should be treated for the removal of all excess of moisture.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

**5714. Misbranding of macaroni. U. S. \* \* \* v. 23 Boxes of Macaroni. Default decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7894. I. S. No. 2529-m. S. No. E-759.)**

On November 22, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 boxes of macaroni, remaining unsold in the original unbroken packages at Derry, Pa., alleging that the article had been shipped on or about October 28, 1916, by the Italian Importing Co., Elizabeth, N. J., and transported from the State of New Jersey into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Electric Factory Gran Prix Bordeaux 1902 Giuseppe de Nicola Manufacturer of Macaroni and Fancy Paste Trade Mark Horse Brand Extra Fine Quality. Naples, Italy." The label also bore representations of horse and gold medals.

Misbranding of the article was alleged in the libel for the reason that it was labeled and branded so as to deceive and mislead the purchaser; that is to say, the appearance and construction of the label conveyed the impression that the goods were of foreign manufacture, when, in truth and in fact, they were of domestic manufacture.

On August 24, 1917, P. Battaglia Bros., Derry, Pa., having filed a claim for the product, so much of the default decree of condemnation and forfeiture theretofore entered as ordered the destruction of the product was revoked, and it was ordered by the court that the product should be released to said claimants upon payment of the costs of the proceedings and execution of a bond in the sum of \$500 (this bond also covers the release of eight cases of olive oil, F. & D. No. 7862, N. J., No. 5706), in conformity with section 10 of the act.

**C. F. MARVIN, Acting Secretary of Agriculture.**

**5715. Adulteration and misbranding of evaporated apples. U. S. \* \* \*  
v. 599 Boxes of Evaporated Apples. Decree of condemnation and  
forfeiture. Good portion released on bond. Unfit portion de-  
stroyed. (F. & D. No. 7903. I. S. Nos. 11893-m, 11894-m. S. No. C-592.)**

On December 5, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 599 boxes of evaporated apples, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about November 6, 1916, by J. J. Welch, Clyde, N. Y., and transported from the State of New York into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged, in substance, in the libel for the reason that excessive moisture had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for evaporated apples, and for the further reason that it consisted in whole or in large part of a decomposed vegetable substance, and was moldy, sour, and worm-eaten, and unfit for use as food.

Misbranding of the article was alleged for the reason that it was in package form, and the packages failed to bear thereon any statement of the quantity of the product contained therein.

On December 13, 1916, the case having come on for hearing on the libel and the answer and claim of the said Joseph J. Welch, judgment of condemnation and forfeiture was entered, and it was ordered by the court that such portion of said apples as were found by a representative of this department to be susceptible of treatment, so as to make them fit for food, should be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, and that the unfit portion should be destroyed by the United States marshal.

*C. F. MARVIN, Acting Secretary of Agriculture.*



**5716. Adulteration of tomatoes. U. S. \* \* \* v. 900 Cases Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7922. I. S. No. 2534-m. S. No. E-772.)**

On December 15, 1916, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 900 cases of canned tomatoes, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped on or about November 13, 1916, by William F. Applegarth, Wingates Point, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Four-G Brand Tomatoes."

Adulteration of the article was alleged in substance in the libel for the reason that a certain substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for tomatoes.

On December 28, 1916, the said William F. Applegarth, claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should not be reshipped or sold or otherwise disposed of without a label which had been approved by this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5717. Adulteration and misbranding of oranges. U. S. \* \* \* v. 792 Boxes of Oranges \* \* \*. Product ordered released on bond. (F. & D. No. 7923. I. S. Nos. 21568-m, 21569-m. S. No. W-155.)**

On December 16, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 792 boxes of oranges, consigned on or about December 6, 1916, by Nelson & Goldman, Sultana, Cal., remaining unsold in the original unbroken packages at Greeley, Colo., alleging that the article had been shipped and transported from the State of California into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of decomposed oranges.

Misbranding of the article was alleged in substance for the reason that it was labeled so as to indicate, and was calculated to make purchasers thereof believe, that it consisted of fancy seedless oranges, whereas said article had been frosted and was partly decomposed.

On December 21, 1916, L. S. Hickman, Greeley, Colo., claimant, having admitted the allegations of the libel, and a good and sufficient bond having been filed by the claimant in conformity with section 10 of the act, it was ordered by the court that the product should be released to said claimant.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

**5718. Adulteration of tomatoes. U. S. \* \* \* v. 300 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7924. I. S. No. 2823-m. S. No. E-773.)**

On December 18, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 300 cases of canned tomatoes, consigned on or about October 20, 1916, and November 1, 1916, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by W. E. Robinson & Co., Waterview, Va., and transported from the State of Virginia into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Powell Brand Tomatoes. \* \* \* Packed by J. O. Powell, Waterview, Va."

Adulteration of the article was alleged in the libel of information for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for tomatoes.

On March 2, 1917, the case having come on to be heard on the libel of information and the answer of James O. Powell, Water View, Va., claimant, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of bond, in conformity with section 10 of the act.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

5719. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 300 Cases \* \* \* of Vinegar. Order of court releasing product on bond. (F. & D. No. 7925. I. S. No. 2728-m. S. No. E-774.)

On or about December 21, 1916, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 cases of vinegar, consigned by Woods Bros. Co., Covesville, Va., remaining unsold in original unbroken packages at Raleigh, N. C., alleging that the article had been shipped and transported from the State of Virginia into the State of North Carolina, the shipment having been received on or about October 3, 1916, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Alpipwin Apple Cider Vinegar \* \* \* from the Heart of the Albemarle Pippin Section. Manufactured by Woods Bros. Company, Covesville, Virginia."

Adulteration of the article was alleged in substance in the libel for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article.

Misbranding of the article was alleged in substance for the reason that it was an imitation of, and offered for sale under the distinctive name of, another article, and in that it was labeled and branded so as to deceive and mislead the purchaser into the belief that it was apple cider vinegar, when, in truth and in fact, it was not.

On January 13, 1917, the case came on to be heard, and Dunn, Marsh & Thompson (Inc.), Raleigh, N. C., having tendered bond in the sum of \$500, in conformity with section 10 of the act, it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5720. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 50 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 7938. I. S. Nos. 11249-m, 11250-m. S. No. C-615.)

On December 29, 1916, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 barrels of vinegar, remaining unsold in the original unbroken packages at Madison, Wis., alleging that the article had been shipped on or about August 30 and September 13, 1916, by the Robinson Cider and Vinegar Co., Benton Harbor, Mich, and transported from the State of Michigan into the State of Wisconsin, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that distilled vinegar or diluted acetic acid had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for pure apple vinegar.

It was alleged in substance that the article was misbranded for the reason that it was labeled in part, to wit, "pure apple vinegar \* \* \*. Guaranteed cider vinegar 4 per centum" (or "4½ per centum" on some of the barrels), whereas it was not pure apple vinegar or cider vinegar but vinegar which had been mixed and packed with distilled vinegar or diluted acetic acid, and the label and the statement regarding the article, contained therein, were false and misleading, and the article was labeled and branded as aforesaid, so as to deceive and mislead the purchaser; and for the further reason that the article was labeled as aforesaid, whereas it was not pure apple vinegar or cider vinegar but an imitation of pure apple vinegar or cider vinegar, to wit, vinegar which had been mixed and packed with distilled vinegar or diluted acetic acid, and it was offered for sale under the distinctive name of another article, to wit, pure apple vinegar, guaranteed cider vinegar.

On March 9, 1917, John Robinson, doing business as the Robinson Cider and Vinegar Co., claimant, Benton Harbor, Mich., having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to the said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the label on the product should be removed and that it should be relabeled as "Imitation Cider Vinegar."

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5721. Adulteration and misbranding of beans. U. S. \* \* \* v. 725 Cases of Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7939. I. S. No. 10584-m. S. No. C-616.)**

On December 27, 1916, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 725 cases of beans, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about November 20, 1916, by the Union Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

It was alleged that the article was misbranded and was so labeled and branded as to deceive and mislead the purchaser for the reason that the packages containing it were labeled, to wit: "Norman Brand Baked Beans with tomato sauce \* \* \*," thereby deceiving and misleading the purchaser into the belief that the beans were baked beans, whereas, in truth and in fact, they were not baked beans, as by said label and brand they purported to be, but had been cooked by some process other than that of baking.

On February 15, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**C. F. MARVIN, Acting Secretary of Agriculture.**

**5722. Adulteration of eggs. U. S. \* \* \* v. 3 Cases of Shell Eggs. Default decree of condemnation and forfeiture. Good portion ordered sold; unfit portion destroyed. (F. & D. No. 7946. I. S. No. 22132-m. S. No. W-143.)**

On September 19, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cases of shell eggs, consigned by J. R. Frew, Eustis, Nebr., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about September 16, 1916, and transported from the State of Nebraska into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, putrid, and decomposed matter.

On October 17, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sorted under the supervision of the United States marshal, and that the good portion should be sold at public auction and the remainder destroyed.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

5723. Adulteration and misbranding of frozen eggs. U. S. \* \* \* v. 29  
Cans \* \* \* of Frozen Mixed Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7952. I. S. No. 10848-m. S. No. C-619.)

On January 5, 1917, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 29 cans, each containing approximately 50 pounds of frozen mixed eggs, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the article has been shipped by Stein Bros. Co., Pittsburgh, Pa., on or about December 9, 1916, and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy and decomposed animal substance.

Misbranding was alleged for the reason that each and every package of the article failed to bear a statement of the quantity of the contents contained therein.

On September 7, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5724. Adulteration of eggs. U. S. \* \* \* v. Doda A. Raines. Plea of guilty. Fine, \$10. (F. & D. No. 7956. I. S. Nos. 11506-m, 11509-m.)**

On March 9, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Doda A. Raines, Aliceville, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 3, 1916, and August 10, 1916, from the State of Kansas into the State of Missouri, of quantities of eggs which were adulterated.

Examination of 1 case containing 360 eggs shipped on August 3, 1916, and 2 cases containing 720 eggs shipped on August 10, 1916, by the Bureau of Chemistry of this department showed 137 eggs, or 38 per cent, and 297 eggs, or 41.3 per cent, respectively, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 7, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

C. F. MARVIN, *Acting Secretary of Agriculture.*

5725. Adulteration of tomatoes. U. S. \* \* \* v. 730 Cases of \* \* \* Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 7957. I. S. No. 12424-m. S. No. C-620.)

On January 9, 1917, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 730 cases of tomatoes, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about November 1, 1916, by Oliver W. Hubbard, East New Market, Md., and transported from the State of Maryland into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Cloverdale Brand Tomatoes, packed by \* \* \* Oliver W. Hubbard."

Adulteration of the article was alleged in substance in the libel for the reason that a large amount of water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for tomatoes.

On July 18, 1917, the said Oliver W. Hubbard, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to the said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*



5726. Misbranding of "Dr. Martel's Special Female Pills." U. S. \* \* \*  
 v. Ellis B. Kittson (French Drug Co.). Plea of guilty. Fine, \$5.  
 (F. & D. No. 7976. I. S. No. 3827-1.)

On June 6, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ellis B. Kittson, trading as the French Drug Co., Newark, N. J., alleging the shipment by said defendant, on November 29, 1915, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Dr. Martel's Special Female Pills," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Contents of box (pills)-----	20
Average weight of 1 pill (gram)-----	0.55
Ash (per cent)-----	21.0
Alkaloids -----	Absent
Aloes -----	Present
Methylene blue-----	Present
Oil of juniper-----	Present
Oil of savin-----	Present
Oil of pennyroyal -----	Present
Ferrous carbonate-----	Present
Ferrous and ferric sulphate-----	Present

It was alleged in substance in the information that the article was misbranded for the reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a remedy for disturbances of the menstrual functions, and as effective to impart to the female reproductive organs the proper functional action nature demands in normal, healthy women and to reestablish the proper action of the generative organs by restoring their vitality; as a treatment for congestive and inflammatory conditions of the uterus and ovary which are accompanied with unusual pain; as a remedy for amenorrhea; as a relief and treatment for menorrhagia and profuse menstruation; as a preventive of profuse flow and as a treatment for the nervous and mental disturbances of the menopause which include hysteria, melancholia, moroseness, and despondency, when, in truth and in fact, it was not.

On July 10, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5727. Adulteration of milk. U. S. \* \* \* v. George C. Taylor and Martin Oeschner (George C. Taylor). Pleas of nolo contendere. Fine, \$25 and costs. (F. & D. No. 7977. I. S. Nos. 10925-m, 10930-m.)**

On July 23, 1917, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George C. Taylor and Martin Oeschner, doing business as George C. Taylor, Mulberry Grove, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 3, 1916, and August 7, 1916, from the State of Illinois into the State of Missouri, of quantities of milk which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the presence of added water, and that the product was in part filthy and decomposed.

Adulteration of the article in each shipment was alleged in substance in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for milk, which the article purported to be; and for the further reason that the article consisted in part of a filthy, decomposed, and putrid animal substance.

On August 30, 1917, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

**5728. Adulteration of pork and beans. U. S. \* \* \* v. 650 Cases \* \* \***  
**Pork and Beans. Default decree of condemnation, forfeiture, and**  
**sale. (F. & D. No. 7985. I. S. No. 11531-m. S. No. C-631.)**

On January 16, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 650 cases of pork and beans, remaining unsold in the original unbroken packages at Dodge City, Kans., alleging that the article had been shipped on or about November 4, 1916, by the Union Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Kansas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Front Rank Brand Pork and Beans. Packed by Union Packing Co. Omaha Neb."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy and decomposed vegetable substance.

On April 3, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal and that the purchaser should execute a bond in the sum of \$500, conditioned that the product would not be sold or transported in interstate commerce or sold for human food in violation of the laws of the United States or of the State of Kansas.

*C. F. MARVIN, Acting Secretary of Agriculture.*

5729. Misbranding of cottonseed meal or cake. U. S. \* \* \* v. Southern Cotton Oil Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 7986. I. S. No. 16079-L)

On March 2, 1917, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Southern Cotton Oil Co., a corporation, doing business at Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 18, 1916, from the State of Arkansas into the State of Iowa, of a quantity of an article labeled in part, "Silo Brand Cotton Seed Meal or Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Protein (Nitrogen  $\times$  6.25) (per cent) \_\_\_\_\_ 36.6

The above result shows that the product contained less protein than was declared upon the label.

Misbranding of the article was alleged in the information for the reason that the following statement regarding the articles and the ingredients and substances contained therein, appearing on the label, to wit, "protein 38.62—43 per cent," was false and misleading in that it represented to purchasers that the article contained from 38.62 per cent to 43 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into believing that it contained 38.62 to 43 per cent of protein when, in truth and in fact, it did not, but contained a less amount thereof, to wit, 36.6 per cent.

On April 27, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*



**5730. Adulteration of rolled oats. U. S. \* \* \* v. 20 Bags of Rolled Oats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7995. I. S. No. 10761-m. S. No. C-635.)**

On January 17, 1917, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 bags of rolled oats, consigned on January 5, 1917, and remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Chicago, Rock Island, and Pacific Railway Co., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On February 15, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property should be destroyed by the United States marshal.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

5731. Adulteration of shell eggs. U. S. \* \* \* v. William E. Wilson.  
Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8007. I. S. No.  
10704-m.)

On March 26, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William E. Wilson, Olathe, Kans., alleging shipment by said defendant, on or about July 25, 1916, from the State of Kansas into the State of Missouri, of a quantity of eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed 43 eggs, or 12 per cent of 360 eggs examined, to be inedible and partly decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 24, 1917 the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5732. Adulteration of shell eggs. U. S. \* \* \* v. Thomas W. Parrott.**  
**Plea of guilty. Fine, \$5 and \$5 on the costs. (F. & D. No. 8009.**  
**I. S. No. 11511-m.)**

On March 12, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas W. Parrott, Mont Ida, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 14, 1916, from the State of Kansas into the State of Missouri, of a quantity of eggs which were adulterated.

Examination of 2 cases, containing 720 eggs, by the Bureau of Chemistry of this department showed 154 eggs, or 21.4 per cent, to be inedible and partly decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 7, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5, and \$5 on the costs.

**C. F. MARVIN, Acting Secretary of Agriculture.**

5733. Adulteration of shell eggs. U. S. \* \* \* v. Carrington Mercantile Co., a corporation. Plea of guilty. Fine, \$200. (F. & D. No. 8017. I. S. No. 17007-m.)

On April 11, 1917, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Carrington Mercantile Co., a corporation, Carrington, N. Dak., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 7, 1916, from the State of North Dakota into the State of Minnesota, of a quantity of eggs which were adulterated.

Examination of 3 cases, each containing 180 eggs, by the Bureau of Chemistry of this department showed 401 eggs, or 74.3 per cent, to be inedible and in an extreme state of decomposition.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On June 29, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5734. Adulteration of shell eggs. U. S. \* \* \* v. Alfred L. Wright. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8019. I. S. No. 10725-m.)**

On March 26, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Alfred L. Wright, Scandia, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 21, 1916, from the State of Kansas into the State of Nebraska, of a quantity of eggs which were adulterated.

An examination of a case of 360 eggs by the Bureau of Chemistry of this department showed 64 eggs, or 17.8 per cent, to be inedible and partly decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 2, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

*C. F. MARVIN, Acting Secretary of Agriculture.*



5735. Adulteration of shell eggs. U. S. \* \* \* v. Ormond J. Coon and Lucien E. Payne (Coon & Co.). Pleas of guilty. Fine, \$10 and costs. (F. & D. No. 8023. I. S. No. 10510-m.)

On March 20, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ormond J. Coon and Lucien E. Payne, copartners, trading as Coon & Co., Fiat, Kans., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 16, 1916, from the State of Kansas into the State of Missouri, of a quantity of eggs which were adulterated.

Examination of 5 cases, containing 1,800 eggs, by the Bureau of Chemistry of this department showed 180 eggs, or 10 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 7, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5736. Adulteration of shell eggs. U. S. \* \* \* v. Robert J. McVicker.**  
**Plea of guilty. Fine, \$10.** (F. & D. No. 8026. I. S. No. 10833-m.)

On July 2, 1917, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Robert J. McVicker, Vermilion, S. Dak., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 29, 1916, from the State of South Dakota into the State of Iowa, of a quantity of eggs which were adulterated.

Examination of 3 cases, containing 1,080 eggs, by the Bureau of Chemistry of this department showed 393 eggs, or 36.4 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On July 14, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

**C. F. MARVIN, Acting Secretary of Agriculture.**

**5737. Adulteration of shell eggs. U. S. \* \* \* v. Frank A. De Noma.**  
**Plea of guilty. Fine, \$25.** (F. & D. No. 8027. I. S. No. 10817-m.)

On March 24, 1917, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank A. De Noma, Davis, S. Dak., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 9, 1916, from the State of South Dakota into the State of Iowa, of a quantity of eggs which were adulterated.

Examination of 3 cases, containing 1,080 eggs, by the Bureau of Chemistry of this department showed 188 eggs, or 17.4 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal substance.

On March 29, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

**5738. Adulteration of shell eggs. U. S. \* \* \* v. Marcus Silverberg and Abe Silverberg (Silverberg Bros.). Pleas of guilty. Fine, \$50. (F. & D. No. 8029. I. S. No. 10827-m.)**

On March 24, 1917, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Marcus Silverberg and Abe Silverberg, copartners, trading as Silverberg Bros., Elk Point, S. Dak., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 22, 1916, from the State of South Dakota into the State of Iowa, of a quantity of eggs which were adulterated.

Examination of 17 cases, containing 6,120 eggs, by the Bureau of Chemistry of this department showed 2,088 eggs, or 34.1 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On March 29, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture*.

**5739. Adulteration of shell eggs. U. S. \* \* \* v. John Tilden Giesy. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8030. I. S. No. 11514-m.)**

On March 20, 1917, the United States attorney for the district of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Tilden Giesy, Hilltop, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 18, 1916, from the State of Kansas into the State of Missouri, of a quantity of eggs which were adulterated.

Examination of 354 eggs by the Bureau of Chemistry showed 97 eggs, or 27.4 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 7, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

*C. F. MARVIN, Acting Secretary of Agriculture.*



**5740. Adulteration of shell eggs. U. S. \* \* \* v. Wm. P. Buren. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8033. I. S. No. 10805-m.)**

On March 26, 1917, the United States attorney for the northern district of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William P. Buren, Leland, Iowa, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 25, 1916, from the State of Iowa into the State of Minnesota, of a quantity of eggs which were adulterated.

Examination of 6 cases, containing 2,160 eggs, by the Bureau of Chemistry of this department showed 227 eggs, or 10.5 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On June 12, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

*C. F. MARVIN, Acting Secretary of Agriculture.* }

**5741. Adulteration of shell eggs. U. S. \* \* \* v. John T. Bellman. Plea of guilty. Fine, \$50. (F. & D. No. 8034. I. S. No. 11202-m.)**

On March 19, 1917, the United States attorney for the district of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John T. Bellman, Yankton, S. Dak., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 13, 1916, from the State of South Dakota into the State of Illinois, of a quantity of eggs which were adulterated.

Examination of 4 cases, containing 684 eggs, by the Bureau of Chemistry of this department showed 109 eggs, or 15.9 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that is consisted in part of a filthy, decomposed, and putrid animal substance.

On March 22, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

*C. F. MARVIN, Acting Secretary of Agriculture.*

**5742. Adulteration and misbranding of "Tablets Heroin Hydrochloride 1/6 Gr." U. S. \* \* \* v. George H. Gould and Henry H. Gould (George H. Gould & Son). Plea of guilty. Fine, \$25. (F. & D. No. 8035. I. S. No. 14421-k.)**

At the March, 1917, term of the District Court of the United States for the Western District of Kentucky the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in said district court an information against George H. Gould and Henry H. Gould, doing business as George H. Gould & Son, Louisville, Ky., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about April 5, 1915, from the State of Kentucky into the State of Indiana, of a quantity of an article labeled in part, "Tablets Heroin Hydrochloride  $\frac{1}{6}$  Gr.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Heroin hydrochlorid (grain per tablet)----- 0.118

Adulteration of the article was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which  $\frac{1}{6}$  grain heroin hydrochlorid tablets, which the article purported to be, were sold.

Misbranding was alleged for the reason that the statement on the label regarding the article and the ingredients and substances contained therein, to wit, (on tube holding 100 tablets) "100 Heroin Hydrochloride  $\frac{1}{6}$  Gr.," was false and misleading in that it represented to purchasers that each individual tablet contained not less than  $\frac{1}{6}$  of a grain of heroin hydrochlorid, whereas, in truth and in fact, each tablet contained a less quantity thereof.

On March 27, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

**5743. Adulteration of shell eggs. U. S. \* \* \* v. Henry D. Morris. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8036. I. S. No. 11510-m.)**

On March 20, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Henry D. Morris, Xenia, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, or on about August 10, 1916, from the State of Kansas into the State of Missouri, of a quantity of eggs which were adulterated.

Examination of 3 cases, containing 900 eggs, by the Bureau of Chemistry of this department showed 228 eggs, or 25.3 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On May 7, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

**C. F. MARVIN, *Acting Secretary of Agriculture.***

**5744. Adulteration of beans. U. S. \* \* \* v. W. F. Assau Canning Co., a corporation. Plea of guilty. Fine, \$15 and costs. (F. & D. No. 8039. I. S. No. 4335-1.)**

On June 27, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the W. F. Assau Canning Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 12, 1916, from the State of Maryland into the State of Massachusetts, of a quantity of an article labeled in part, "Bunker Hill Brand Beans \* \* \* Packed by W. F. Assau Canning Co. \* \* \* at Baltimore, Md.," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the beans were partly decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On June 27, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15 and costs.

*C. F. MARVIN, Acting Secretary of Agriculture.*



5745. Adulteration of shell eggs. U. S. \* \* \* v. Henry Henkin and Ona J. Henkin (Henkin & Son). Pleas of guilty. Fine, \$50. (F. & D. No. 8043. I. S. No. 10832-m.)

At the October, 1916, term of the District Court of the United States for the District of South Dakota the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in said district court an information against Henry Henkin and Ona J. Henkin, trading as Henkin & Son, Elk Point, S. Dak., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 29, 1916, from the State of South Dakota into the State of Iowa, of a quantity of eggs which were adulterated.

An examination of six cases, containing 2,160 eggs, by the Bureau of Chemistry of this department, showed 331 eggs, or 15.3 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On March 29, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5746. Adulteration and misbranding of baked beans. U. S. \* \* \* v. 50 Cases of Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8045. I. S. No. 10752-m. S. No. W-162.)**

On January 31, 1917, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of baked beans, remaining unsold in the original unbroken packages at Holbrook, Ariz., alleging that the article had been shipped on or about December 29, 1916, by the Ridenour Baker Co., Kansas City, Mo., and transported from the State of Missouri into the State of Arizona, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Gilt-Edge Brand Baked Beans."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, and was unfit for consumption as food.

Misbranding of the article was alleged, in substance, for the reason that it was labeled and branded as "Baked Beans," and said label was false and misleading and such as to deceive and mislead the purchaser, in that the beans had not been baked, but on the contrary had been cooked by another and different process than by baking.

On March 22, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**C. F. MARVIN, Acting Secretary of Agriculture.**

5747. Adulteration of shell eggs. U. S. \* \* \* v. Ida Sklar (The People's Store) and Robert Sklar. Plea of guilty by defendant Robert Sklar. Fine, \$25. Case dismissed as to other defendant. (F. & D. No. 8046. I. S. No. 10829-m.)

At the October, 1916, term of the District Court of the United States for the District of South Dakota the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in said district court an information against Ida Sklar, doing business as The People's Store, and Robert Sklar, Chancellor, S. Dak., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 23, 1916, from the State of South Dakota into the State of Iowa, of a quantity of eggs which were adulterated.

Examination of six cases, containing 2,160 eggs, by the Bureau of Chemistry of this department, showed 427 eggs, or 19.8 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On March 28, 1917, the defendant, Robert Sklar, entered a plea of guilty to the information, and the court imposed a fine of \$25. The information as to Ida Sklar was dismissed.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**5748. Adulteration of shell eggs. U. S. \* \* \* v. William Cordes. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8048. I. S. No. 11513-m.)**

On March 20, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William Cordes, Fulton, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 17, 1916, from the State of Kansas into the State of Missouri, of a quantity of eggs which were adulterated.

Examination of 324 eggs by the Bureau of Chemistry of this department showed 124 eggs, or 38.3 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 7, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

*C. F. MARVIN, Acting Secretary of Agriculture.*

**5749. Adulteration of shell eggs. U. S. \* \* \* v. Samuel Ott and Daniel Imthurn (Ott & Imthurn). Pleas of guilty. Fine, \$10 and costs. (F. & D. No. 8049. I. S. No. 11507-m.)**

On March 20, 1917, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Samuel Ott and Daniel Imthurn, trading as Ott & Imthurn, Quincy, Kans., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 3, 1916, from the State of Kansas into the State of Missouri, of a quantity of eggs which were adulterated.

Examination of 2 cases, containing 720 eggs, by the Bureau of Chemistry of this department showed 325 eggs, or 45.1 per cent, to be inedible and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 7, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10 and costs.

*C. F. MARVIN, Acting Secretary of Agriculture.*



**5750. Misbranding of cottonseed meal and cake. U. S. \* \* \* v. Portland Oil Mill, a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 7879. I. S. No. 19746-L.)**

On March 5, 1917, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Portland Oil Mill, a corporation, Portland, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 7, 1915, from the State of Arkansas into the State of Michigan, of a quantity of an article labeled in part, "Equity Brand Cotton Seed Meal and Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	15.1
Crude protein (per cent)-----	33.0
Total nitrogen (per cent)-----	5.28
Total ammonia (per cent)-----	6.42

This product contains less ammonia, less protein, less nitrogen, and more crude fiber than it is labeled to contain.

Misbranding of the article was alleged in substance in the information for the reason that the statements borne on the tags attached to the sacks, regarding the article and ingredients and substances contained therein, to wit, "guaranteed analysis, ammonia not less than 8 per cent, protein not less than 41 per cent, nitrogen, not less than 6½ per cent, \* \* \* crude fiber not more than 10 per cent," was false and misleading in that it represented that the article contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than 6.5 per cent of nitrogen, and not more than 10 per cent of crude fiber, and for the further reason that it was labeled as afore-said so as to deceive and mislead the purchaser into believing that it contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than 6.5 per cent of nitrogen, and not more than 10 per cent of crude fiber, whereas, in truth and in fact, it contained less than the amounts indicated of ammonia, protein, and nitrogen, and more of crude fiber, to wit, approximately 6.42 per cent of ammonia, approximately 33.00 per cent of protein, approximately 5.28 per cent of nitrogen, and approximately 15.1 per cent of crude fiber.

On March 5, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

**C. F. MARVIN, Acting Secretary of Agriculture.**

# INDEX TO NOTICES OF JUDGMENT 5701 TO 5750.

Apples,			Feed—Continued.	
evaporated:	N. J. No.		cottonseed meal or cake:	N. J. No.
Delmarle, O. J., & Co-----	5713		Southern Cotton Oil Co----	5729
Welch, J. J-----	5715		Female pills. <i>See</i> Pills.	
Beans,			Frozen eggs. <i>See</i> Eggs.	
Assau, W. F., Canning Co--	5744		Heroin hydrochlorid tablets. <i>See</i>	
Union Packing Co-----	5721		Tablets.	
baked:			Hills honey and tar compound. <i>See</i>	
Ridenour Baker Co-----	5746		Compound.	
pork and:			Homenta:	
Union Packing Co-----	5728		New York Drug Concern----	5702
Chocolate,			Honey and tar compound. <i>See</i>	
liquor:			Compound.	
Massachusetts Chocolate			Macaroni:	
Co-----	5708		Italian Importing Co--	5707, 5714
sweet milk:			Martel's, Dr., female pills. <i>See</i> Pills.	
Massachusetts Chocolate			Milk:	
Co-----	5708		Taylor, George C-----	5727
Cocoa,			condensed:	
Massachusetts Chocolate			Crescent Creamery Co----	5705
Co-----	5708		Oats,	
Compound,			rolled:	
Hill's honey and tar:			C. R. I. & P. Ry. Co-----	5730
New York Drug Concern--	5701		Oil,	
Condensed milk. <i>See</i> Milk.			olive:	
Cottonseed meal or cake. <i>See</i> Feed.			Italian Importing Co-----	5706
Di-Col-Q:			Olive oil. <i>See</i> Oil.	
New York Drug Concern--	5703		Oranges:	
Eggs:			Nelson & Goldman-----	5717
Bellman, John T-----	5741		Pills,	
Buren, Wm. P-----	5740		Martel's, Dr., female:	
Carrington Mercantile Co--	5733		French Drug Co-----	5710
Coon & Co-----	5735		5711, 5712, 5726	
Cordes, Wm-----	5748		Pork and Beans. <i>See</i> Beans.	
De Noma, Frank A-----	5737		Rolled oats:	
Frew, J. R-----	5722		C., R. I. & P. Ry. Co----	5730
Giesy, John Tilden-----	5739		Sweet milk chocolate. <i>See</i> Choco-	
Henkin & Son-----	5745		late.	
McVicker, Robert J-----	5736		Tablets,	
Morris, Henry D-----	5743		heroin hydrochlorid:	
Ott & Imthurn-----	5749		Gould, Geo. H., & Son---	5742
Parrott, Thomas W-----	5732		Tomatoes:	
People's Store, The-----	5747		Applegarth, Wm. F-----	5716
Raines, Doda A-----	5724		Baker, C. W., & Sons-----	5704
Silverberg Bros-----	5738		Hubbard, Oliver W-----	5725
Sklar, Robert-----	5747		Powell, J. O-----	5718
Wilson, Wm. E-----	5731		Robinson, W. E., & Co-----	5718
Wright, Alfred L-----	5734		Waterview Packing Co-----	5704
frozen:			Vinegar:	
Stein Bros. Co-----	5723		Robinson Cider & Vinegar	
Evaporated apples. <i>See</i> Apples.			Co-----	5720
Feed,			Woods Bros. Co-----	5719
cottonseed meal and cake:			Water:	
Portland Oil Mill-----	5750		Crazy Well Water Co-----	5709

# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

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## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 5751-5800.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 24, 1918.]

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### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5751. Adulteration of tomato pulp. U. S. \* \* \* v. J. Frank Hearn. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8050. I. S. No. 11142-1.)**

On June 26, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. Frank Hearn, Wingate, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 8, 1915, from the State of Maryland into the State of Texas, of a quantity of an article labeled in part, "Fox Creek Brand Tomato Pulp \* \* \* Packed by J. Frank Hearn Wingate, Md.," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to be a partially decomposed vegetable substance.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On June 26, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5752. Adulteration of pork and beans. U. S. \* \* \* v. 26 Cases \* \* \* of Pork and Beans \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8053. I. S. No. 11116-m. S. No. C-640.)**

On February 2, 1917, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 cases, each containing two dozen cans of pork and beans with tomato sauce, remaining unsold in the original unbroken packages at Davenport, Iowa, alleging that the article had been shipped on or about October 31, 1916, by the Union Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Front Rank Brand Pork and Beans with Tomato Sauce \* \* \* ."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On October 16, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the Court that the product should be destroyed by the United States marshal, and that the empty casks or containers might be sold by said marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5753. Adulteration and misbranding of apple vinegar. U. S. \* \* \* v. 40 Barrels \* \* \* of \* \* \* Apple Vinegar. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 8055. I. S. No. 11654-m. S. No. C-642.)**

On February 3, 1917, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 barrels of so-called apple vinegar, consigned on December 5, 1916, remaining unsold in the original unbroken packages at South Bend, Ind., alleging that the article had been shipped by the Allegan Cider & Vinegar Co., Allegan, Mich., and transported from the State of Michigan into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Apple Vinegar. Made from apple cores and peelings reduced to 40 gr."

Adulteration of the article was alleged in the libel for the reason that it had mixed and packed with it distilled vinegar or a solution of dilute acetic acid which had been substituted in part for apple vinegar so as to reduce, lower, and injuriously affect its quality.

Misbranding of the article was alleged for the reason that it was an imitation of apple vinegar and was a product consisting in part of distilled vinegar or a solution of dilute acetic acid which had been substituted in part for apple vinegar, and it was offered for sale under the distinctive name of apple vinegar when, in fact, it was not, and for the further reason that it was labeled and branded so as to deceive and mislead the purchaser into the belief that it was apple vinegar, when, in fact, it was not.

On July 10, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be relabeled, "A compound of apple waste, vinegar, acetic acid, and water," and should be sold at public auction by the United States marshal.

**CARL VBOOMAN, *Acting Secretary of Agriculture.***



**5754. Adulteration of tomatoes. U. S. \* \* \* v. 400 Cases \* \* \* of \* \* \* Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F & D. No. 8056. I. S. No. 11114-m. S. No. C-643.)**

On or about February 5, 1917, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases of tomatoes, remaining unsold in the original unbroken packages at Davenport, Iowa, alleging that the article had been shipped on or about November 25, 1916, by the Booth Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Booths Tomatoes \* \* \* Oval Brand."

Adulteration of the article was alleged in the libel for the reason that added water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article.

On June 25, 1917, the said Booth Packing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be relabeled and branded so as plainly to indicate the presence of added water.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5755. Adulteration of tomatoes. U. S. \* \* \* v. 300 Cases \* \* \* of \* \* \* Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 8057. I. S. No. 11115-m. S No. C-646.)**

On or about February 5, 1917, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 cases of tomatoes, remaining unsold in the original unbroken packages at Davenport, Iowa, alleging that the article had been shipped on or about November 25, 1916, by the Booth Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of Iowa, and charging adulteration and violation of the Food and Drugs Act. The article was labeled in part, "Booth's Tomatoes \* \* \* Oval Brand."

Adulteration of the article was alleged in the libel for the reason that added water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

On June 25, 1917, the said Booth Packing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be relabeled and branded so as plainly to indicate the presence of added water.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5756. Adulteration and misbranding of baked beans. U. S. \* \* \* v. 160 Cases \* \* \* of Baked Beans with Tomato Sauce. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8066. I. S. No. 12058-m. S. No. C-649.)**

On February 8, 1917, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 160 cases of baked beans with tomato sauce, remaining unsold in the original unbroken packages at Ottumwa, Iowa, alleging that the article had been shipped on or about December 18, 1916, by the Union Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Iowa, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Dependable Brand Baked Beans with Tomato Sauce."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance. It was further alleged that the product was not baked beans, as set forth on its labels, but beans cooked by another process and therefore misbranded, and the statement, "Baked Beans," found on the label of the product was false and misleading.

On October 23, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the empty cases or containers, if suitable for sale, should be sold by said marshal and the proceeds thereof be applied to the payment of the costs of the proceedings.

**CARL VEBOOMAN, Acting Secretary of Agriculture.**

**5757. Adulteration and misbranding of "Lithiated Mount Clemens Aperient Water." U. S. \* \* \* v. John Meyer. Plea of guilty. Fine, \$50. (F. & D. No. 8086. I. S. Nos. 11223-l, 16403-k.)**

On June 7, 1917, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Meyer, Mount Clemens, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 25, 1914, and June 3, 1915, from the State of Michigan into the States of Ohio and Illinois, respectively, of quantities of an article labeled in part, "Lithiated Mount Clemens Aperient Water," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

Ions.	Milligrams per liter.
Sulphuric acid ( $\text{SO}_4$ )	28,346.9
Bicarbonic acid ( $\text{HCO}_3$ )	337.3
Chlorin (Cl)	1,820.0
Bromin (Br)	12.0
Iodin (I)	.0
Oxygen (O) (calculated)	.6
Aluminum (Al) (sediment)	.6
Calcium (Ca)	353.0
Magnesium (Mg)	4,264.7
Sodium (Na) and Potassium (K)	6,405.8
Lithium (Li) (By spectroscope in raw water)	2.0
Sulphite ( $\text{SO}_3$ ) and Ammonium ( $\text{NH}_4$ )	0.0
	<hr/> 41,542.9

#### HYPOTHETICAL COMBINATIONS.

Lithium chlorid ( $\text{LiCl}$ )	12.2
Sodium bromid ( $\text{NaBr}$ )	15.4
Sodium chlorid ( $\text{NaCl}$ )	2,983.7
Sodium sulphate ( $\text{Na}_2\text{SO}_4$ )	16,148.0
Magnesium sulphate ( $\text{MgSO}_4$ )	21,111.3
Calcium sulphate ( $\text{CaSO}_4$ )	823.0
Calcium bicarbonate ( $\text{Ca}(\text{HCO}_3)_2$ )	448.1
Alumina ( $\text{Al}_2\text{O}_3$ ) (sediment)	1.2
	<hr/> 41,542.9

The organisms per cubic centimeter developing after 2 days on gelatin at  $20^\circ \text{C}$ . ranged from 120 to 37,000 and on plain agar at  $37^\circ \text{C}$ . from 10 to 3,000.

The mold "sporotrichum" was identified as present in large numbers in each of the ten bottles examined.

The large number of bacteria, together with the molds, indicate that this water consisted in part of a filthy, decomposed, vegetable substance.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, vegetable substance.

Misbranding of the article in each shipment was alleged for the reason that the statement appearing on the label, regarding the article and the ingredients

and substances contained therein, to wit: "Lithiated Mount Clemens Aperient Water. This constitutes a valuable, bitter water preparation of the justly famed Mt. Clemens mineral waters \* \* \*," was false and misleading in that it falsely represented that the article was a Lithiated Mount Clemens Aperient Water, a preparation of the Mount Clemens mineral waters, which contained an appreciable amount of lithium and which contained a substantial amount of Mount Clemens mineral water; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a lithiated Mount Clemens aperient water, a preparation of the Mt. Clemens mineral waters, which contained an appreciable amount of lithium and which contained a substantial amount of Mount Clemens mineral water, whereas, in truth and in fact, it was not, but was a mixture composed in whole or in part of city tap water and added Epsom and Glauber salts, and which contained an inappreciable amount of lithium and little or no Mount Clemens mineral water.

It was further alleged in substance that the article in each shipment was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for indigestion, dyspepsia, catarrhal affections of the stomach and bowels, impaired metabolism, jaundice, gall stones, biliousness, subacute and chronic cases of rheumatism, rheumatic gout, renal calculi composed of uric acid compounds, and as a treatment for stomach, liver, kidney, and bladder troubles, piles, pyelitis, oxaluria, transitory and alimentary glycosuria, and as a specific remedy for troubles arising from functional disturbances of the liver, and as a preventive of the formation of calculi of uric acid compounds in the kidneys, and effective when such compounds are present to render them smaller, and to expel them, when, in truth and in fact, it was not.

On August 22, 1917, the defendant entered a plea guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5758. Adulteration and misbranding of vinegar. U. S. \* \* \* v. Monarch Vinegar Works, a corporation. Plea of guilty. Fine, \$180 and costs.** (F. & D. No. 8090. I. S. Nos. 10005-1, 10008-1, 10009-1, 10088-1, 10090-1, 10102-1, 13009-1, 11469-1, 13008-1.)

On May 14, 1917, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Monarch Vinegar Works, a corporation, Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 23, 1915 (three shipments), March 14, 1916 (two shipments), from the State of Missouri into the State of Kansas, on July 15, 1915, and February 29, 1915, from the State of Missouri into the State of Iowa, and on March 13, 1916 (two shipments), from the State of Missouri into the State of Nebraska, of quantities of vinegar which was adulterated and misbranded. The article was variously labeled in part, "Sweet Clover Brand Pure Apple Vinegar," "Sweet Clover Brand Pure Cider Vinegar," "Tee-Pee Brand Apple Vinegar," "Poehler King Brand Apple Cider Vinegar," "Old Settler Brand Apple Cider Vinegar," "Kamo Brand Pure Cider Vinegar," "Pure Cider Vinegar."

Analyses of samples of the article from each shipment by the Bureau of Chemistry of this department showed that it contained added distilled vinegar or dilute acetic acid.

Adulteration of the article in all of the shipments was alleged in substance in the information for the reason that a certain substance had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in whole or in part for pure apple vinegar, or pure cider vinegar, or apple vinegar, which the article purported to be, and that the said substance so mixed and packed with, and so substituted for the article aforesaid, was distilled vinegar or acetic acid, either or both, and as the informant had no knowledge as to which of these substances was so mixed and packed and substituted for the said article, the allegation was made in the alternative.

Misbranding of the article in all of the shipments was alleged in substance for the reason that the following statement concerning it and the ingredients and substances contained therein, appearing on the barrels or bottles, to wit, pure apple vinegar, or pure cider vinegar, or apple vinegar, or apple cider vinegar, as the case might be, was false and misleading in that it represented to purchasers that the article was pure apple vinegar, or pure cider vinegar, or apple vinegar, or apple cider vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was pure apple vinegar, or pure cider vinegar, or apple vinegar, or apple cider vinegar, as the case might be, whereas, in truth and in fact, it was not, but was, to wit, an apple vinegar, or cider vinegar, or apple cider vinegar, as the case might be, mixed with distilled vinegar and dilute acetic acid.

On June 30, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$180 and costs.

*CARL VROOMAN, Acting Secretary of Agriculture.*

5759. Misbranding of "Sunshine Molasses Dairy Feed." U. S. \* \* \* v. The Ferger Grain Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8105. I. S. No. 19632-m.)

On April 23, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ferger Grain Co., a corporation, Cincinnati, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 18, 1916, from the State of Ohio into the State of Indiana, of a quantity of an article labeled in part, "Sunshine Molasses Dairy Feed," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ether extract (crude fat) (per cent)-----	3.3
Crude protein (per cent)-----	12.3

This product contains less crude fat and less crude protein than it was labeled to contain.

Misbranding of the article was alleged in substance in the information for the reason that the following statements regarding the article and the ingredients and substances contained therein, appearing on the tags attached to the sacks, to wit, "\* \* \* The Ferger Grain Company of Cincinnati, Ohio, guarantees this Sunshine Molasses Dairy Feed to contain not less than 4% of crude fat, 14% crude protein \* \* \*", (on bags) "\* \* \* Ferger's Sunshine Cow Feed Guaranteed Analysis: Protein 14%, Fat 4% \* \* \*," were false and misleading in that they indicated to purchasers that the article contained not less than 14 per cent of protein and not less than 4 per cent of fat, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the article contained not less than 14 per cent of protein and not less than 4 per cent of fat, when, in truth and in fact, it contained less than 14 per cent of protein and 4 per cent of fat.

On June 27, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5760. Adulteration of beans. U. S. \* \* \* v. 540 Cases \* \* \* of Beans.**  
**Product ordered released on bond.** (F. & D. No. 7350. I. S. No.  
 12446-1. S. No. C-492.)

On April 25, 1916, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 540 cases, each containing two dozen cans of beans, consigned on February 5, 1916, remaining unsold in original unbroken packages at Peoria, Ill., alleging that the article had been shipped by Hart Bros., Saginaw, Mich., and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it contained and showed the presence of partly decomposed beans.

On October 31, 1917, the said Hart Bros., claimant, having stipulated with the Government that they were willing to file a bond in the sum of \$1,000, in conformity with section 10 of the act, and to pay the costs of the proceedings, it was ordered by the court that the product should be released to said claimant upon filing the bond.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5761. Adulteration of milk. U. S. \* \* \* v. Otto H. Keirle. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8115. I. S. Nos. 10945-m, 10949-m, 11822-m.)**

On August 10, 1917, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Otto H. Keirle, Bunker Hill, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 15, 1916, August 17, 1916, and August 9, 1916, from the State of Illinois into the State of Missouri, of quantities of milk which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	1	2	3
Butter Fat (per cent)	2.8	2.5	2.9

The above analyses show that these samples have been partially skimmed.

Adulteration of the article in each shipment was alleged in the information for the reason that a valuable constituent of the article, to wit, butter fat, had been in part abstracted.

On August 22, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5762. Adulteration of granulated true unicorn root. U. S. \* \* \* v. R. Hillier's Son Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 8120. I. S. No. 3624-1.)**

On April 24, 1917, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against R. Hillier's Son Co., a corporation, Jersey City, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 15, 1916, from the State of New Jersey into the State of Georgia, of a quantity of an article purporting to be granulated true unicorn root, which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted largely of false unicorn, *Chamaelirium luteum*, and contained only about 3 per cent of true unicorn root, *Aletris farinosa*.

Adulteration of the article was alleged in the information for the reason that it was offered for sale and sold as granulated true unicorn root, and fell below the professed standard and quality of strength and purity under which granulated true unicorn root is sold; and for the further reason that a certain substance, to wit, false unicorn root, had been substituted for a granulated true unicorn root, which the article purported to be.

On June 18, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5763. Adulteration of milk. U. S. \* \* \* v. John Stockamp. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8123. I. S. No. 10940-m.)**

On August 10, 1917, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Stockamp, Litchfield, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 10, 1916, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in part for milk, which the article purported to be.

On August 18, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

**CARL VBROOMAN, Acting Secretary of Agriculture.**

**5764. Adulteration of malt sprouts. U. S. \* \* \* v. 424 Sacks \* \* \* of Alleged Malt Sprouts. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8128. I. S. No. 11745-m. S. No. C-658.)**

On February 27, 1917, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 424 sacks of alleged malt sprouts, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on December 29, 1916, by K. & E. Neumond (Inc.), St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that hulls and chaff, and foreign matter other than hulls and chaff, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the article of food designated as malt sprouts No. 2.

On May 1, 1917, the J. J. Badenoch Co., a corporation, Chicago, Ill., claimant, having admitted the allegation of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned, in part, that the article should be labeled as malt screenings under the supervision of a representative of this department.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5765. Adulteration of tomato pulp. U. S. \* \* \* v. 260 Cases \* \* \* of \* \* \* Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8134. I. S. No. 11369-m. S. No. C-662.)**

On or about March 1, 1917, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 260 cases of tomato pulp, consigned on or about September 9, 1916, November 7, 1916, November 21, 1916, November 27, 1916, and December 7, 1916, by the Rider Packing Co., Crothersville, Ind., remaining unsold in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped and transported from the State of Indiana into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Rider's Class A Brand Tomato Pulp made from Tomatoes, Pieces of Tomatoes and Tomato Trimmings."

Adulteration of the article was alleged in the libel for the reason that it contained, and in part consisted of, a partially decomposed vegetable substance.

On April 2, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5766. Adulteration of pork and beans. U. S. \* \* \* v. 14,400 Cans of Pork and Beans. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 8141. I. S. No. 11061-m. S. No. W-170.)**

On March 7, 1917, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14,400 cans of pork and beans, remaining unsold in the original unbroken packages at Fresno, Cal., alleging that the article had been shipped on or about January 25, 1917, by the Union Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of California, and charging adulteration in violation of the Food & Drugs Act. The article was labeled in part, "Plow Boy Brand Baked Beans with Tomato Sauce \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole and in part, of a filthy, decomposed, and putrid animal and vegetable substance.

On August 15, 1917, the said Union Packing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5767. Adulteration and misbranding of chloroform liniment. U. S. \* \* \***  
**v. Homer K. Butler. Plea of guilty. Fine, \$20. (F. & D. No. 8146.**  
**I. S. No. 4506-m.)**

On October 9, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of said District an information against Homer K. Butler, Washington, D. C., alleging that said defendant did offer for sale and sell on February 9, 1917, at the District aforesaid, in violation of the Food and Drugs Act, a quantity of an article labeled in part, "Chloroform Liniment," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Camphor (grams per 1,000 mils)-----	20.52
Chloroform (mils per 1,000 mils)-----	199.8
Alcohol (per cent by volume)-----	42.2

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity, as determined by the tests laid down in the said Pharmacopœia official at the time of the investigation of the article, in that in 1,000 mils of the article there were 199.8 mils of chloroform, whereas the said Pharmacopœia provides that in 1,000 mils of the article there shall be 300 mils of chloroform, and that in 1,000 mils of the article there were 20.5 grams of camphor, whereas, the said Pharmacopœia provides that in 1,000 mils of the article there shall be 700 mils of soap liniment, and that in 700 mils of soap liniment there shall be 31.5 grams of camphor; and the standard of the strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that the statement borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, to wit, "Chloroform 144 minims in 1 fl. oz.," was false and misleading in that it represented that said article contained 144 minims of chloroform to the fluid ounce, whereas, in truth and in fact, it did not, but contained a less amount, to wit, 95.9 minims of chloroform to the fluid ounce, and for the further reason that it contained chloroform, and the label failed to bear a statement of the quantity or proportion of chloroform contained therein.

On October 9, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5768. Adulteration of grapefruit. U. S. \* \* \* v. 300 Boxes of Grapefruit. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8150. I. S. No. 12079-m. S. No. C-669.)

On March 5, 1917, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 boxes of grapefruit, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on February 22, 1917, by Alexander & Baird, Deland, Fla., and transported from the State of Florida into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was rotten and consisted of a filthy, decomposed, and putrid substance.

On March 22, 1917, no claimant having appeared for the property, judgment for condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**CARL VROOMAN, Acting Secretary of Agriculture.**

5769. Adulteration of grapefruit and oranges. U. S. \* \* \* v. 163 Boxes of Grapefruit and 137 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8153. I. S. No. 12080-m. S. No. C-672.)

On March 5, 1917, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 163 boxes of grapefruit and 137 boxes of oranges, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the articles had been shipped on February 26, 1917, by S. J. Sligh & Co., Orlando, Fla., and transported from the State of Florida into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in substance in the libel for the reason that they consisted of filthy, decomposed, and putrid vegetable substances.

On March 22, 1917, no claimant having appeared for the property, judgment for condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5770. Adulteration of tomato pulp. U. S. \* \* \* v. 400 Cases \* \* \* of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8156. I. S. No. 11748-m. S. No. C-676.)**

On March 7, 1917, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases of tomato pulp, alleging that the article had been shipped on December 1, 1916, by the Mantik Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Ruxton Brand Tomato Pulp."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On April 17, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5771. Adulteration of milk. U. S. \* \* \* v. George C. Taylor and Martin Oechsner (George C. Taylor). Pleas of nolo contendere. Fine, \$25 and costs. (F. & D. No. 8158. I. S. Nos. 10988-m, 12203-m, 12414-m.)**

On August 8, 1917, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George C. Taylor and Martin Oechsner, doing business as George C. Taylor, Mulberry Grove, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about September 5, 1916, September 12, 1916, and September 18, 1916, from the State of Illinois into the State of Missouri, of quantities of milk which was adulterated.

Analyses of samples of the article in each shipment by the Bureau of Chemistry of this department showed that the product contained added water and that it consisted in part of a filthy and decomposed animal substance.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been substituted in part for milk, which the article purported to be, and for the further reason that a certain substance, to wit, water, had been mixed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that the article consisted in part of a filthy, decomposed, and putrid animal substance.

On August 30, 1917, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5772. Adulteration of milk. U. S. \* \* \* v. George B. Rueschhoff and Edward G. Hammel (Rumping Dairy Co.). Pleas of guilty. Fine, \$75. (F. & D. No. 8161. I. S. Nos. 17604-m, 12205-m, 11873-m, 10971-m, 10978-m, 10979-m.)**

On September 6, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George B. Rueschhoff and Edward G. Hammel, doing business as the Rumping Dairy Co., St. Louis, Mo., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about September 8, 1916, August 30, 1916, August 31, 1916, September 16, 1916, September 11, 1916, and August 25, 1916, from the State of Illinois into the State of Missouri, of quantities of milk which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department show that certain of the samples contained added water and certain others contained filthy and decomposed vegetable substances and added water.

Adulteration of the article in the shipment of September 8, 1916, was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

Adulteration of the article in the shipments of August 30 and August 31, 1916, was alleged for the reason that a certain substance, to wit, water, had been substituted in part for milk, which the article purported to be; for the further reason that a certain substance, to wit, water, had been mixed therewith so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

Adulteration of the article in the other shipments was alleged for the reason that a certain substance, to wit, water, had been substituted in part for milk, which the article purported to be, and had been mixed therewith so as to reduce, lower, and injuriously affect its quality and strength.

On November 13, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$75.

**CARL VROOMAN, Acting Secretary of Agriculture.**



**5773. Adulteration of tomatoes. U. S. \* \* \* v. 545 Cases of Canned Tomatoes. Decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 8176. I. S. No. 3738-m. S. No. E-824.)**

On March 12, 1917, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 545 cases of canned tomatoes, consigned on or about January 11, 1917, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by J. Langrall & Brother, Inc., Baltimore, Md., and transported from the State of Maryland into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Maryland Chief Tomatoes \* \* \* Packed by J. Langrall & Bro. Incorporated, Baltimore, Md."

Adulteration of the article was alleged in the libel of information for the reason that a certain substance, to wit, added water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for tomatoes.

On July 3, 1917, Aaron Smith, Boston, Mass., having filed a claim for the release of the product, so much of the judgment of condemnation and forfeiture theretofore entered as authorized the sale of the product was revoked, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5774. Adulteration of oranges. U. S. \* \* \* v. 720 Boxes of Oranges.**  
**Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 8183. I. S. Nos. 12086-m, 12087-m. S. No. C-682.)

On March 16, 1917, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said District a libel for the seizure and condemnation of 720 boxes of oranges, remaining unsold in the unbroken packages at New Orleans, La., alleging that the article had been shipped on March 5, 1917, by Lee & Edwards, Thornotosassa, Fla., and transported from the State of Florida into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was rotten and consisted of a filthy, decomposed, and putrid vegetable substance.

On March 22, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5775. Adulteration of tomato sauce. U. S. \* \* \* v. 50 Cases \* \* \* of Tomato Sauce. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8185. I. S. No. 2192-m. S. No. E-827.)**

On March 21, 1917, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of tomato sauce, consigned by W. Webster & Co., Reeds Grove, Pa., remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped and transported from the State of Maryland into the State of Pennsylvania, the shipment having been received on or about December 8, 1916, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Salsa Di Pomodoro Vesuvian Brand."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On July 26, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5776. Adulteration of oranges. U. S. \* \* \* v. 360 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8186. I. S. No. 12081-m. S. No. C-677.)**

On March 17, 1917, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 360 boxes of oranges, remaining unsold in the original packages at New Orleans, La., alleging that the article had been shipped on February 26, 1917, by Dr. P. Phillips, Orlando, Fla., and transported from the State of Florida into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was rotten and consisted of a filthy, decomposed, and putrid vegetable substance.

On March 23, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal and that that the product should be destroyed by the United States marshal, and that

**CARL VBOOMAN, *Acting Secretary of Agriculture.***

**5777. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 100 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8192. I. S. No. 22206-m. S. No. W-174.)**

On March 20, 1917, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases, each containing 48 cans of pork and beans, consigned by William Cluff Co., San Francisco, Cal., remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been delivered for shipment on or about March 17, 1917, for transportation from the State of California into the Territory of Hawaii, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Thelma Brand Pork and Beans \* \* \* are unexcelled as a nutritious and palatable food product, contains only 5% of starch."

Adulteration of the article was alleged in the libel for the reason that soya beans had been substituted wholly for navy beans.

Misbranding of the article was alleged for the reason that the statements on the label were false and misleading and deceived and misled the purchaser.

On March 24, 1917, O. A. Nelson & Co., San Francisco, Cal., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

**CARL VROOMAN, Acting Secretary of Agriculture.**



**5778. Adulteration of oranges. U. S. \* \* \* v. 360 Boxes of Oranges.**  
**Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 8202. I. S. No. 12085-m. S. No. C-681.)

On March 14, 1917, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 360 boxes of oranges, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on February 27, 1917, by E. P. Phillips (Dr. P. Phillips), Orlando, Fla., and transported from the State of Florida into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was rotten and consisted of a filthy, decomposed, and putrid vegetable substance.

On March 22, 1917, no claimant having appeared for the property, judgment and condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal and that the empty containers should be sold at a private sale.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5779. Adulteration and misbranding of "Effervescent Bernag." U. S. \* \* \* v. William P. Bernagozzi and Ferdinand Bernagozzi (W. P. Bernagozzi & Bro.). Pleas of guilty. Fine, \$50. (F. & D. No. 8206. I. S. No. 4653-k.)**

On May 10, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William P. Bernagozzi and Ferdinand Bernagozzi, trading as W. P. Bernagozzi and Bro., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on July 6, 1915, from the State of New York into the State of Pennsylvania, of a quantity of an article labeled in part, "Effervescent Bernag, Tartrate of Soda Flavored with Lemon Oil," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Sugar as invert, before inversion (per cent)-----	4.90
Sucrose by copper (per cent)-----	47.19
Total tartaric acid (per cent)-----	23.25
Boric acid (per cent)-----	3.42
Article is composed essentially of sugar, boric acid, tartaric acid, and sodium bicarbonate.	

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, sugar and boric acid, or borax, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for "Effervescent Bernag," consisting of tartrate of soda, flavored with lemon oil, which the article purported to be, and for the further reason that the article contained an added poisonous or deleterious ingredient, to wit, boric acid or borax, which might render it injurious to health.

Misbranding of the article was alleged for the reason that the following statements regarding the article and the ingredients and substances contained therein, appearing on its label, to wit, "Effervescent Bernag \* \* \* tartrate of soda, flavored with lemon oil," were false and misleading in that they represented to purchasers that the article consisted wholly of "Effervescent Bernag," composed of tartrate of soda, flavored with lemon oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted wholly of "Effervescent Bernag," composed of tartrate of soda, flavored with lemon oil, when, in truth and in fact, it did not, but consisted in part of, to wit, sugar and boric acid or borax.

On August 6, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5780. Misbranding of "Bigler's Condition Powder," "Bigler Hog Cholera Specific," and "Bigler Anti Hog Cholera Tonic," U. S. \* \* \* v. G. R. Bigler Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8209. I. S. Nos. 11653-1, 11655-1, 11927-m.)**

On September 14, 1917, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the G. R. Bigler Co., a corporation, Springfield, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 23, 1916, from the State of Illinois into the State of Alabama, of quantities of articles labeled in part, "Bigler's Condition Powder" and Bigler Hog Cholera Specific," and on or about August 2, 1916, from the State of Illinois into the State of Tennessee, of a quantity of an article labeled in part, "Bigler Anti Hog Cholera Tonic," all of which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

The "Condition Powder."

Nonvolatile matter at 100° C. (per cent)-----	95.85
Alcohol soluble (fats) (per cent)-----	4.08
Carbon bisulphid soluble as sulphur (per cent)-----	1.61
Water-soluble chlorids as sodium chlorid (per cent)-----	27.89
Ash (per cent)-----	43.28
Acid-insoluble ash (per cent)-----	3.67
Iron as iron oxid (per cent)-----	5.09
Calcium and magnesium: Traces.	
Unidentified alkaloid: Present.	
Plant fiber: Present.	
Arsenic (Gutzeit): None.	

Preparation is a brownish mixture containing common salt, iron oxid, sulphur, vegetable fiber, and fats.

The "Hog Cholera Specific."

Nonvolatile matter at 105° C. (per cent)-----	99.98
Ash (per cent)-----	90.77
Acid-insoluble ash (per cent)-----	2.00
Carbon bisulphid, soluble as sulphur (per cent)-----	3.46
Iron as iron oxid (per cent)-----	8.50
Calcium oxid (per cent)-----	43.60
Magnesium oxid (per cent)-----	27.17
Carbonates: Present.	
Phosphorus pentoxid: Trace.	
Reinsch test for arsenic: Negative.	
Alkaloids: None.	

Preparation is a flesh-colored mineral powder, containing chiefly carbonates and oxids of calcium, magnesium, and iron; small amount of sulphur present.

The "Anti Hog Cholera Tonic."

Loss at 105° C. (per cent)-----	0.70
Ash (per cent)-----	94.87
Acid-insoluble ash (per cent)-----	1.48
Iron oxid (per cent)-----	6.66
Calcium oxid (per cent)-----	41.50
Magnesium oxid (per cent)-----	23.55
Phosphorus pentoxid: Trace.	
Arsenic: None.	

The "Anti Hog Cholera Tonic"—Continued.

Alkaloids: None.

Carbonates: Present.

Carbon bisulphid, soluble as sulphur (per cent)----- 2.56

Product is a flesh-colored powder, containing chiefly oxids and carbonates of calcium, magnesium, and iron, with a small amount of sulphur.

It was alleged in substance in the information that the "Condition Powder" was misbranded for the reason that certain statements appearing on the labels of the packages and included in the circular accompanying the article falsely and fraudulently represented it as a remedy for all diseases of cattle, horses, sheep, and hogs; as a preventive and cure for all diseases of live stock, and as a preventive of all contagious diseases, when, in truth and in fact, it was not.

It was alleged in substance in the information that the "Hog Cholera Specific" was misbranded for the reason that certain statements appearing on its labels and included in the circular accompanying the article falsely and fraudulently represented it as a specific for hog cholera; as a preventive and cure for hog cholera; as effective for all disorders of the bowels, blood, and digestive organs, and as a preventive of all contagious diseases, whereas, in truth and in fact, it was not.

It was alleged in substance in the information that the "Anti Hog Cholera Tonic" was misbranded for the reason that certain statements appearing on its labels falsely and fraudulently represented it as a specific and treatment for hog cholera and as a treatment for all disorders of the bowels, blood, and digestive organs, whereas, in truth and in fact, it was not.

On September 24, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

**CARL VROOMAN, *Acting Secretary of Agriculture.***



**5781. Misbranding of "Gonorrhoea and Gleet 3 Day Cure," "Old Indian Fever Tonic," "Pain-I-Cure," and "Walker's Dead Shot Colic Cure." U. S. \* \* \* v. The Walker Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. Nos. 8210, 8213. I. S. Nos. 2390-1, 2388-1, 2386-1, 2389-1.)**

On July 18, 1917, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district two informations against the Walker Co., a corporation, Atlanta, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 27, 1915, from the State of Georgia into the State of Florida, of a quantity of an article labeled in part, "Gonorrhoea and Gleet 3 Day Cure," and on or about February 4, 1916, from the State of Georgia into the State of Florida, of quantities of articles labeled in part, "Old Indian Fever Tonic," "Pain-I-Cure," and "Walker's Dead Shot Colic Cure," all of which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

**The "Gonorrhoea and Gleet 3 Day Cure":**

The product appeared to be an aqueous solution of zinc sulphate, sulphocarbolate of zinc, boric acid, opium, and hydrastine.

Probable composition:

Zinc sulphate (grams per 100 cc)-----	1.94
Sulphocarbolate of zinc (grams per 100 cc)-----	1.41
Boric acid (grams per 100 cc)-----	3.84

**The "Old Indian Fever Tonic":**

Specific gravity at 20°C/20°C-----	1.1261
Total solids at 125°C (grams per 100 cc)-----	16.49
Quinine anhydrous (gram per 100 cc)-----	0.30
Magnesium sulphate anhydrous (grams per 100 cc)-----	13.19
Acidity as sulphuric (gram per 100 cc)-----	0.43
Ash (grams per 100 cc)-----	13.25
Alcohol (per cent by volume)-----	0.8

Iron: Absent.

The preparation appeared to be a solution of magnesium sulphate and a sulphate of quinine, made acid with aromatic sulphuric acid and colored red with a coal-tar dye.

**The "Pain-I-Cure":**

Specific gravity 20°C/4°C-----	0.8696
Oil by precipitation (per cent)-----	8.2
Ammonia (gram per 100 cc)-----	0.11
Total solids (gram per 100 cc)-----	0.17
Chloroform (grams per 100 cc)-----	2.46
Alcohol (per cent by volume)-----	74.7

Capsicum: Present.

Camphor: Present.

Morphine: Present.

Odor of oils suggests presence of oils of sassafras and cloves with others not identified.

**The "Walker's Dead Shot Colic Cure":**

Specific gravity at 20°C/4°C-----	0.8582
Total solids (grams per 100 cc)-----	1.32
Ash (gram per 100 cc)-----	0.01
Chloroform (grams per 100 cc)-----	1.03
Oil by precipitation (per cent)-----	4.6



## The "Walker's Dead Shot Colic Cure"—Continued.

Morphine (milligrams per 100 cc)-----	37
Alcohol (per cent by volume)-----	77.4
Asafoetida: Present.	
Guaiaac: Present.	
Morphine: Present.	
Camphor: Present.	
Capsicum: Present.	
Solution acid to litmus.	

This product appeared to be a hydroalcoholic solution of essential oils, gums, chloroform, opium, camphor, and capsicum.

It was alleged in substance in one of the informations that the "Gonorrhoea and Gleet 3 Day Cure" was misbranded for the reason that certain statements appearing on the bottle and carton labels falsely and fraudulently represented it as effective to cure gonorrhea or gleet in three days, when, in truth and in fact, it was not effective to cure gonorrhea and gleet in three days or at any time. Misbranding of the article was alleged for the further reason that it contained opium, and the package failed to bear a statement on the label thereof of the quantity or proportion of opium contained therein.

It was alleged in substance in the same information that the "Old Indian Fever Tonic" was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for la grippe, measles, neuralgia, and influenza, when, in truth and in fact, it was not; and for the further reason that certain statements included in the circular accompanying it falsely and fraudulently represented it as a cure for every form of fever and for la grippe, neuralgia, and measles, when, in truth and in fact, it was not.

It was alleged in substance in the same information that the "Pain-I-Cure" was misbranded for the reason that certain statements appearing on the label of the bottle and carton falsely and fraudulently represented it as a cure for pain, and as a relief for all kinds of lameness, swellings of all kinds, sick stomach, seasickness, and pneumonia, when, in truth and in fact, it was not.

It was alleged in substance in the other information that the "Walker's Dead Shot Colic Cure" was misbranded for the reason that certain statements appearing on its label and included in the circular accompanying the article falsely and fraudulently represented it as a cure for colic in mules and horses when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the statement borne on the carton regarding the article and the ingredients and substances contained therein, to wit, "perfectly harmless," was false and misleading in that it represented that the article contained no harmful ingredients, whereas, in truth and in fact, it contained harmful ingredients, to wit, opium and chloroform, and for the further reason that it contained alcohol, opium, and chloroform, and its package failed to bear on the label thereof the quantity or proportion of alcohol, opium, and chloroform contained therein.

On September 21, 1917, the defendant company entered a plea of guilty to the informations, and the court imposed a fine of \$50 and costs.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5782. Adulteration of tomato paste. U. S. \* \* \* v. 200 Cases \* \* \* of Tomato Paste. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 8220. I. S. No. 1751-m. S. No. E-836.)**

On March 29, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases, each containing 200 cans of tomato paste, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 16, 1917, by V. Taormina & Co., New Orleans, La., and transported from the State of Louisiana into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Tomato Paste with Basilico Fly Brand \* \* \*."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in particular, wholly or in part, of a decomposed vegetable substance.

On September 19, 1917, Strohmeier & Arpe, New York, N. Y., claimants, Act. The article was labeled in part, "Tomato Paste with Basilico Flag entered, and it was ordered by the court that the product should be destroyed by the United States marshal and that judgment for the costs of the proceedings be entered against said claimants.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5783. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 3,932 Gallons \* \* \* of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8223. I. S. No. 20181-m. S. No. C-686.)**

On April 3, 1917, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3,932 gallons of vinegar, remaining unsold in a tank car at Dallas, Tex., alleging that the article had been shipped on or about March 8, 1917, by the Gist-Leo Vinegar Co., a corporation, Springfield, Mo., and transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, (on car) "Pure Cider Vinegar."

Adulteration of the article was alleged in substance in the libel for the reason that distilled vinegar or dilute acetic acid had been mixed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure cider vinegar.

Misbranding of the article was alleged in substance for the reason that it was labeled as above to indicate that it was pure cider vinegar, and said statement, to wit, "Pure Cider Vinegar," was false and misleading and misled the purchaser; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure cider vinegar, whereas, in truth and in fact, it was not.

On June 13, 1917, the said Gist-Leo Vinegar Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,250, in conformity with section 10 of the act.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5784. Misbranding of macaroni. U. S. \* \* \* v. 90. Boxes of Macaroni. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 8226. I. S. Nos. 3398-m, 4302-m, 4303-m. S. No. E-839.)**

On or about April 12, 1917, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 90 boxes of macaroni, remaining unsold in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped on or about March 29, 1917, by the Savarese Macaroni Co., Baltimore, Md., and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act. The article was labeled, "Macaroni, Gragnano Style Savoy Brand Artificially Colored. Extra sublime 20 lbs. nett, Ditali, Rosamarino."

Misbranding of the article was alleged in the libel for the reason that it was labeled and branded so as to deceive and mislead the purchaser, and so as to purport [it] to be a foreign product, when, in truth and in fact, it was not.

On June 15, 1917, the said Savarese Macaroni Co., claimant, having admitted some of the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$350, in conformity with section 10 of the act, conditioned in part that the product should be properly labeled.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5785. Adulteration of baked beans. U. S. \* \* \* v. 130 Cases \* \* \* of \* \* \* Baked Beans with Tomato Sauce \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8229. I. S. No. 11540-m. S. No. C-688.)**

On April 23, 1917, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 130 cases, each containing two dozen cans of baked beans with tomato sauce, alleging that the article had been shipped on or about December 4, 1916, by the Union Packing Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Iowa, and charging adulteration and violation of the Food and Drugs Act. The article was labeled in part, "Superior Brand Baked Beans with Tomato Sauce."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On October 31, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal and that the empty cases or containers should be sold by said marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**5786. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 4 Tanks of Vinegar Compound. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8231. I. §. No. 20182-m. S. No. C-689.)**

On April 21, 1917, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of tanks of vinegar compound, remaining unsold in the original unbroken packages at Dallas, Tex., alleging that the article had been shipped on April 2, 1917, by the Gist-Leo Vinegar Co., Springfield, Mo., and transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Leo Cider Vinegar Co. Manfs. Pure Cider Vinegar," and was invoiced in part as "Cider vinegar 50 Gr."

Adulteration of the article was alleged in substance in the libel for the reason that distilled vinegar or added dilute acetic acid had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for cider vinegar.

Misbranding of the article was alleged in substance for the reason that it was labeled and branded as pure cider vinegar and as cider vinegar, when, in truth and in fact, it was not, but was a combination of such vinegar and distilled vinegar or added dilute acetic acid; and for the further reason that it was an imitation of cider vinegar, and was not cider vinegar or pure cider vinegar, as indicated and represented by its brand and label; and for the further reason that it was labeled and branded so as to deceive and mislead the purchaser in that it was labeled and branded as cider vinegar and pure cider vinegar, when, in truth and in fact, it was not, but was a mixture of such vinegar and distilled vinegar or added dilute acetic acid.

On June 13, 1917, the said Gist-Leo Vinegar Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5787. Adulteration of tomatoes. U. S. \* \* \* v. 625 Cases of Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8232. I. S. No. 1570-m. S. No. E-843.)**

On May 1, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 625 cases of tomatoes, consigned by A. W. Sisk & Son, Preston, Md., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about February 27, 1917, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Orvilla Brand Tomatoes."

Adulteration of the article was alleged in the libel for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for tomatoes.

On May 7, 1917, Felix Spatola & Sons, Philadelphia, Pa., claimants, having admitted the allegations in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5788. Adulteration and misbranding of oil of birch. U. S. \* \* \* v. 2 Cans \* \* \* of \* \* \* Oil of Birch. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8236. I. S. No. 3434-m. S. No. E-845.)**

On May 16, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cans, each containing approximately 50 pounds of an article purporting to be oil of birch, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about April 18, 1917, by T. J. Ray, Elk Park, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained synthetic methyl salicylate which had been mixed with it so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Adulteration [misbranding] of the article was alleged for the reason that it was an imitation of, and offered for sale under the distinctive name of, another article, to wit, oil of birch, when it was not such, and for the further reason that it was food in package form, and the quantity of the contents was not stated on the outside of the package in terms of weight, measure, or numerical count.

On June 27, 1917, the said Thomas J. Ray, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the filing of a cash bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product should be properly relabeled.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5789. Adulteration and misbranding of oil of birch. U. S. \* \* \* v. 1 Can \* \* \* of \* \* \* Oil of Birch. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 8237. I. S. No. 3435-m. S. No. E-846.)**

On May 16, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 can containing approximately 50 pounds of an article purporting to be oil of birch, remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped on or about April 23, 1917, by Earl Carpenter, Middlebury Center, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained synthetic methyl salicylate, which had been mixed with it so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Adulteration [misbranding] of the article was alleged for the reason that it was an imitation of, and offered for sale under the distinctive name of, another article, to wit, oil of birch, when it was not such, and for the further reason that it was food in package form, and the quantity of the contents was not stated on the outside of the package in terms of weight, measure, or numerical count.

On July 7, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be advertised, labeled, and sold by the United States marshal as "A mixture of synthetic methyl salicylate and oil of birch."

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5790. Adulteration and misbranding of oil of birch. U. S. \* \* \* v. 2 Cans \* \* \* of \* \* \* Oil of Birch. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 8238. I. S. No. 3436-m. S. No. E-847.)**

On May 16, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of two cans, each containing 50 pounds of an article purporting to be oil of birch, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about April 18, 1917, by Burd Bros., Liberty, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained synthetic methyl salicylate, which had been mixed with it so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Adulteration [misbranding] of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, oil of birch, when it was not such, and for the further reason that it was food in package form, and the quantity of the contents was not stated on the outside of the package in terms of weight, measure, or numerical count.

On August 20, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be labeled and sold by the United States marshal, as "A mixture of synthetic methyl salicylate and oil of birch."

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5791. Adulteration and misbranding of beans. U. S. \* \* \* v. 100 Cases of Beans. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 8239. I. S. No. 1878-m. S. No. E-848.)**

On May 18, 1917, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases of beans, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped on or about March 9, 1917, by D. E. Foote & Co. (Inc.), Baltimore, Md., and transported from the State of Maryland into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that soya beans had been substituted wholly for navy beans, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statement on the label regarding said article, to wit, "Our Leader Brand Beans with Tomato Sauce," was false and misleading and was intended to be of such a character as to induce the purchaser to believe that the said beans were navy beans, when, in truth and in fact, they were not.

On June 7, 1917, the said D. E. Foote & Co. (Inc.), claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5792. Adulteration and misbranding of beans. U. S. \* \* \* v. 150 Cases of Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8240. I. S. No. 2874-m. S. No. E-849.)**

On May 18, 1917, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 cases of beans, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped on or about March 7, 1917, by D. E. Foote & Co. (Inc.), Baltimore, Md., and transported from the State of Maryland into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that soya beans had been substituted wholly for navy beans, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statement on the label regarding said article, to wit, "Our Leader Brand Beans with Tomato Sauce," was false and misleading, and was intended to be of such a character as to induce the purchaser to believe that the beans were navy beans, when, in truth and in fact, they were not.

On June 7, 1917, the said D. E. Foote & Co. (Inc.), claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

**CARL VROOMAN, *Acting Secretary of Agriculture.***

5793. Misbranding of Dixie Brand cottonseed meal. U. S. \* \* \* v. Richmond Cotton Oil Co., a corporation. Default entered. Fine, \$10 and costs. (F. & D. No. 8242. I. S. No. 1565-1.)

On June 4,, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Richmond Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 3, 1915, from the State of Missouri into the State of New York, of a quantity of an article labeled in part, "Dixie Brand Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	15. 6
Protein (N×6.25) (per cent)-----	30. 7
Nitrogen (per cent)-----	4. 91
Low in protein. High in fiber.	

Misbranding of the article was alleged in the information for the reason that the statement borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, to wit, "Guaranteed Analysis \* \* \* protein 38.62% to 43% \* \* \* crude fiber 8 to 12%," was false and misleading in that it represented that said article contained not less than 38.62 per cent of protein and not more than 12 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 38.62 per cent of protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained less than 38.62 per cent of protein and more than 12 per cent of crude fiber, to wit, approximately 30.7 per cent of protein and approximately 15.6 per cent of crude fiber.

On October 8, 1917, the case having come on for disposition, it was ordered by the court that a fine of \$10 and costs be imposed against the defendant company, in default of its appearance.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5794. Adulteration and misbranding of Marchand's peroxid of hydrogen.**  
 U. S. \* \* \* v. The Drevet Mfg. Co., a corporation. Plea of guilty.  
 Fine, \$15. (F. & D. No. 8245. I. S. No. 20279-1.)

On June 19, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Drevet Mfg. Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on April 18, 1916, from the State of New York into the State of California, of a quantity of an article labeled in part, "Marchand's Peroxide of Hydrogen, \* \* \* The Drevet Manufacturing Co., New York, U. S. A.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Gauge of 2 bottles (fluid ounces)-----	15.2, 14.9
Hydrogen peroxid (per cent)-----	3.64
(Equivalent to 11.9 volumes of oxygen.)	
Acetanilid (grain per fluid ounce)-----	0.04

Adulteration of the article was alleged in the information for the reason that it was sold under the professed standard and quality as follows, to wit, "15 Vol.  $\text{H}_2\text{O}_2$  \* \* \* hydrogen dioxide 4.5%," and in strength and purity, the article fell below the said professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the statement concerning the article and the ingredients and substances therein contained, to wit, "hydrogen dioxide 4.5%," was false and misleading in that it represented to purchasers that the article contained 4.5 per cent of hydrogen dioxid, whereas, in fact and in truth, it contained a less quantity of hydrogen dioxid than 4.5 per cent of the article; for the further reason that the statement concerning the article and the ingredients and substances contained therein, appearing on the label, to wit, "15 vol.  $\text{H}_2\text{O}_2$ ," was false and misleading in that it represented to purchasers that the article was a hydrogen peroxid of 15 volume strength, whereas, in fact and in truth, it was not of 15 volume strength but was of less strength than 15 volume; for the further reason that the statement concerning the article and the ingredients and substances contained therein, appearing on the label, to wit, "It is 50% stronger than the U. S. P. requirements," was false and misleading in that it represented to purchasers that the article contained a proportion of hydrogen dioxid 50 per cent stronger than is required by the United States Pharmacopœia, that is to say, not less than 4.5 per cent of hydrogen dioxid, whereas, in fact and in truth, it contained less than 4.50 per cent of hydrogen dioxid and was not 50 per cent stronger than was required by the United States Pharmacopœia; for the further reason that the statement concerning the article and the ingredients and substances therein contained appearing on the label, to wit, "Average contents 16 fl. oz.," was false and misleading in that it represented to purchasers that each bottle of the article contained not less than 16 fluid ounces thereof, whereas, in fact and in truth, each bottle did not contain 16 fluid ounces thereof, but contained a less quantity thereof; and for the further reason that the article contained a quantity of acetanilid, and the packages containing the article failed to bear any statement of the presence, quantity, or proportion of said acetanilid.

On July 10, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5795. Adulteration and misbranding of Marchand's peroxid of hydrogen.**  
**U. S. \* \* \* v. The Drevet Mfg. Co., a corporation. Plea of guilty.**  
**Fine, \$15. (F. & D. No. 8246. I. S. No. 21141-1.)**

On June 19, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Drevet Mfg. Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on April 18, 1916, from the State of New York into the State of Washington, of a quantity of an article labeled in part, "Marchand's Peroxide of Hydrogen, \* \* \* The Drevet Manufacturing Co., New York, U. S. A.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Hydrogen peroxid (per cent)-----	3.55
Available oxygen (volumes)-----	11.7
Acetanilid (grain per fluid ounce)-----	0.05
Net weight, 1 bottle (ounces)-----	3.54

Adulteration of the article was alleged in the information for the reason that it was sold under the professed standard of strength and purity as follows, to wit: "15 vol  $\text{H}_2\text{O}_2$  \* \* \* Hydrogen Dioxide 4.5%," and it fell below the said professed standard of strength and purity under which it was sold.

Misbranding was alleged for the reason that the statement concerning the article and the ingredients and substances contained therein appearing on the label, to wit, "15 vol  $\text{H}_2\text{O}_2$ ," was false and misleading in that it indicated to purchasers that the article was a peroxid of hydrogen of 15 volume strength, whereas, in truth and in fact, it was not, but was of less strength than 15 volumes; for the further reason that the statement concerning the article and the ingredients and substances therein contained, appearing on the label, to wit, "Hydrogen Dioxide 4.5%," was false and misleading in that it indicated to purchasers that the article contained 4.5 per cent of hydrogen dioxide, whereas, in truth and in fact, it contained a less quantity than 4.5 per cent thereof; for the further reason that the statement concerning the article and the ingredients and substances therein contained, appearing on the label, to wit, "It is 50% stronger than the U. S. P. requirements," was false and misleading in that it indicated to purchasers that the article was 50 per cent stronger than peroxid of hydrogen as described in and tested by the requirements laid down in the United States Pharmacopœia, that is to say, the article contained not less than 4.5 per cent of hydrogen dioxide, whereas, in truth and in fact, it was not 50 per cent stronger than peroxid of hydrogen as tested by the requirements of the United States Pharmacopœia and contained less than 4.5 per cent of hydrogen dioxide; for the further reason that the statement concerning the article and the ingredients and substances therein contained, appearing on the label, to wit, "¼ lb. Bottle," was false and misleading in that it indicated to purchasers that each bottle of the article contained not less than one-fourth of a pound thereof, whereas, in truth and in fact, each bottle of the article did not contain one-fourth of a pound thereof, but contained a less quantity thereof; and for the further reason that although said article contained a quantity of acetanilid, the packages containing the article failed to bear any statement on the labels, or elsewhere, of the quantity, proportion, or existence of said acetanilid.

On July 10, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5796. Adulteration and misbranding of wheat shorts. U. S. \* \* \* v. Cape County Milling Co., a corporation. Plea of nolo contendere. Fine, \$20 and costs. (F. & D. No. 8247. I. S. No. 4411-1.)**

On June 4, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cape County Milling Co., a corporation, Jackson, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 28, 1915, from the State of Missouri into the State of Georgia, of a quantity of an article labeled in part, "Wheat Shorts," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained pieces of grain and weed seeds which appeared to be ground screenings.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, wheat screenings, had been substituted in part for wheat shorts, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement concerning the article and the ingredients and substances contained therein appearing on the label, to wit, "Shorts," was false and misleading in that it represented that said article was wheat shorts, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that said article was wheat shorts, whereas, in fact and in truth, it was not, but was a mixture of wheat shorts and wheat screenings.

On October 8, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$20 and costs.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5797. Adulteration and misbranding of Marchand's peroxid of hydrogen.**  
**U. S. \* \* \* v. The Drevet Mfg. Co., a corporation. Plea of guilty.**  
**Fine, \$15. (F. & D. No. 8248. I. S. No. 1397-m.)**

On June 19, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Drevet Mfg. Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on October 26, 1916, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Marchand's Peroxide of Hydrogen \* \* \* The Drevet Manufacturing Co., New York, U. S. A.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Average net contents (fluid ounces)-----	7.56
Hydrogen dioxid (per cent)-----	3.27
Acetanilid (grain per fluid ounce)-----	0.16

Adulteration of the article was alleged in the information for the reason that it was sold under the professed standard of strength and purity as follows, to wit, "15 vol.  $\text{H}_2\text{O}_2$  Hydrogen dioxide 4.5%," and it fell below the said professed standard of strength and purity under which it was sold.

Misbranding was alleged for the reason that the statement concerning the article and the ingredients and substances contained therein, appearing on the label, to wit, "15 vol.  $\text{H}_2\text{O}_2$ ," was false and misleading in that it indicated to purchasers that the article was a peroxid of hydrogen of 15 volume strength, whereas, in truth and in fact, the said article was not 15 volume strength but was of less strength than 15 volumes; for the further reason that the statement concerning the article and the ingredients and substances therein contained, appearing on the label, to wit, "Hydrogen dioxide 4.5%," was false and misleading in that it indicated to purchasers that the article contained 4.5 per cent of hydrogen dioxid, whereas, in truth and in fact, it contained a less quantity of hydrogen dioxid than 4.5 per cent thereof; for the further reason that the statement concerning the article and the ingredients and substances therein contained, appearing on the label, to wit, "It is 50% stronger than the U. S. P. Requirements," was false and misleading in that it indicated to purchasers that the article was 50 per cent stronger than peroxid of hydrogen as described in and tested by the requirements laid down in the United States Pharmacopœia, that is to say, that it contained not less than 4.5 per cent of hydrogen dioxid, whereas, in truth and in fact, it was not 50 per cent stronger than peroxid of hydrogen as tested by the requirements of the United States Pharmacopœia and contained less than 4.5 per cent of hydrogen dioxid; for the further reason that the statement concerning the article and the ingredients and substances therein contained, appearing on the label, to wit, "Av. Contents 8 Fl. Oz.," was false and misleading in that it indicated to purchasers that each bottle of the article contained not less than 8 fluid ounces thereof, whereas, in fact and in truth, each bottle did not contain 8 fluid ounces thereof, but contained a less quantity than 8 fluid ounces; and for the further reason that, although the article contained a quantity of acetanilid, the package containing the article failed to bear any statement on the labels, or elsewhere, of the quantity, proportion, or existence of the said acetanilid.

On July 10, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5798. Adulteration of eggs. U. S. \* \* \* v. Mitchell Produce Co., a corporation. Plea of guilty. Fine, \$25.** (F. & D. No. 8251. I. S. No. 1350-m.)

On June 14, 1917, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Mitchell Produce Co., a corporation, Mitchell, S. D., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 15, 1916, from the State of South Dakota into the State of Massachusetts, of a quantity of eggs which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

Eggs unfit for food purposes (average of four cases) (per cent) -----	13.3
Eggs unfit for food purposes (average of ten cases) (per cent) -----	14.7

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 5, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5799. Adulteration and misbranding of tomato sauce. U. S. \* \* \* v. Windy Hill Packing Co., a corporation. Plea of guilty. Fine, \$15 and costs. (F. & D. No. 8252. I. S. No. 2526-m.)**

On July 19, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Windy Hill Packing Co., a corporation, Windy Hill, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 30, 1916, from the State of Maryland into the State of New York, of a quantity of an article labeled in part, "Pagliaccio Brand \* \* \* Pure Tomato Sauce," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed [the] product to consist in part of decomposed tomato paste.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, or putrid vegetable substance.

Misbranding was alleged for the reason that the statement concerning the article and the ingredients and substances contained therein appearing on the label, to wit, "Pure Tomato Sauce," was false and misleading in that it represented to purchasers that the article was pure tomato sauce, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was a pure tomato sauce, whereas, in truth and in fact, it was not, but was a tomato sauce consisting in part of a filthy, decomposed, or putrid vegetable substance.

On July 19, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15 and costs.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5800. Adulteration of cream. U. S. \* \* \* v. Willardale Creamery, a corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 8254. I. S. No. 9678-L)**

On June 15, 1917, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Willardale Creamery, a corporation, Lawrence, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 19, 1916, from the State of Massachusetts into the State of New Hampshire, of a quantity of cream which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Fat (per cent)-----	16.23
Starch (per cent)-----	.58

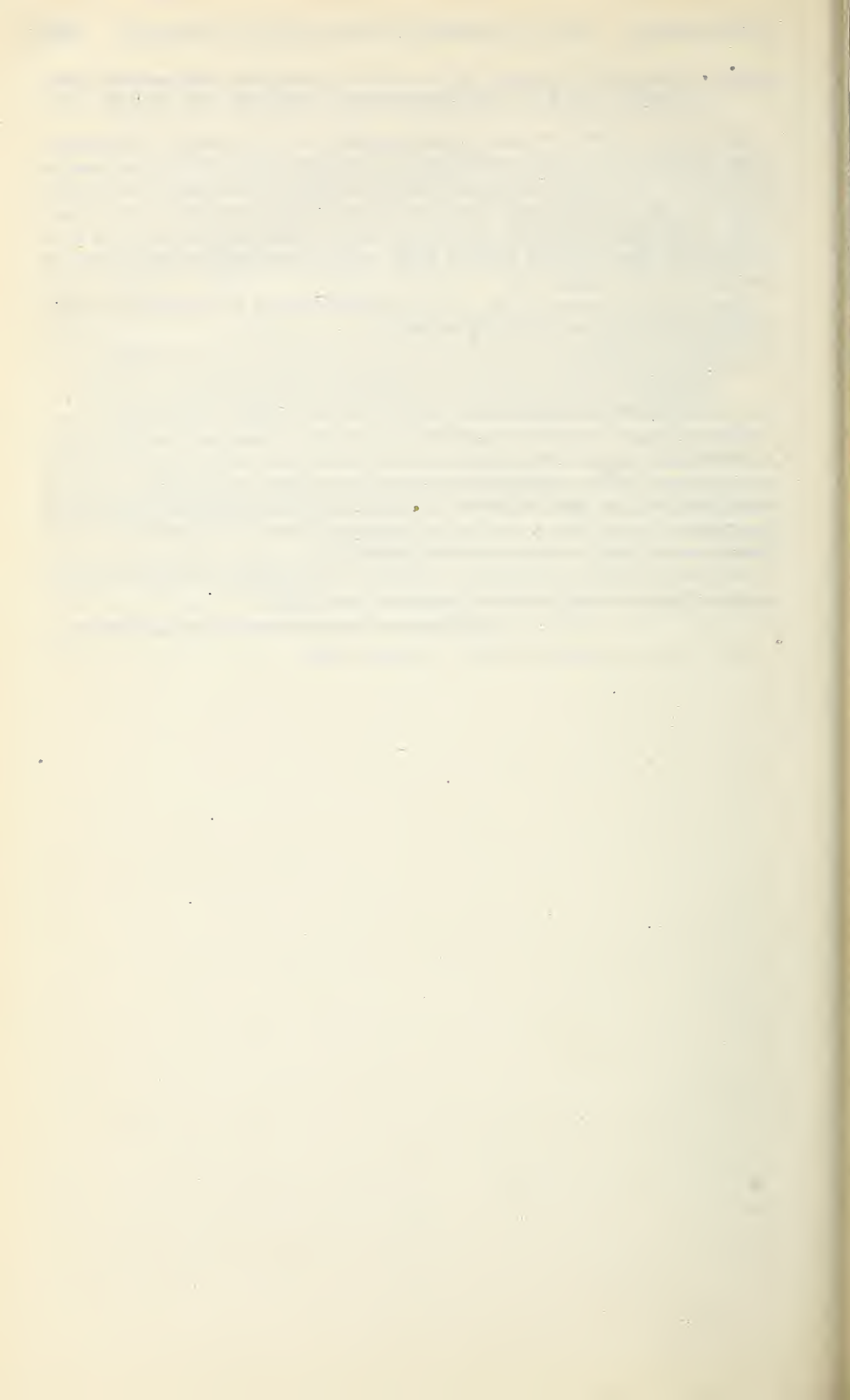
This product is deficient in butter fat and contains added starch.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, starch, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for cream, which the article purported to be, and for the further reason that a certain valuable constituent of the article, to wit, butter fat, had been in part abstracted therefrom.

On June 28, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*





# INDEX TO NOTICES OF JUDGMENT 5751 TO 5800.

	N. J. No.		N. J. No.
Beans:		Lithiated Mount Clemens aperient	
Foote, D. E., & Co-----	5791, 5792	water. <i>See</i> Water.	
Hart Bros.-----	5760	Macaroni:	
baked:		Savarese Macaroni Co-----	5784
Union Packing Co-----	5781, 5785	Malt sprouts. <i>See</i> Feed.	
pork and:		Marchand's peroxid of hydrogen:	
Cluff, Wm., Co-----	5777	Drevet Mfg. Co--	5794, 5795, 5797
Union Packing Co-----	5752, 5768	Milk:	
Bernag, effervescent. <i>See</i> Efferves		Keirle, Otto H-----	5761
cent bernag.		Runyng Dairy Co-----	5772
Bigler anti hog cholera tonic:		Stockamp, John-----	5763
Bigler, G. R., Co-----	5780	Taylor, Geo. C-----	5771
Bigler hog cholera specific:		Oil,	
Bigler, G. R., Co-----	5780	birch:	
Bigler's condition powder:		Burd Bros-----	5790
Bigler, G. R., Co-----	5780	Carpenter, Earl-----	5789
Birch oil. <i>See</i> Oil.		Ray, T. J-----	5788
Chloroform liniment. <i>See</i> Liniment.		Old Indian fever tonic. <i>See</i> Tonic.	
Colic cure. <i>See</i> Cure.		Oranges:	
Cottonseed meal. <i>See</i> Feed.		Lee & Edwards-----	5774
Cream:		Phillips, Dr. P-----	5776, 5778
Willardale Creamery-----	5800	grapefruit and:	
Cure,		Sligh, S. J., & Co-----	5769
colic:		Paste, tomato. <i>See</i> Tomato paste.	
Walker Co-----	5781	Pain-I-Cure:	
gonorrhea and gleet:		Walker Co-----	5781
Walker Co-----	5781	Peroxid,	
Effervescent bernag:		hydrogen:	
Bernagozzi, W. P., & Bro--	5779	Drevet Mfg. Co--	5794, 5795, 5797
Eggs:		Pork and beans. <i>See</i> Beans.	
Mitchell Produce Co-----	5798	Powder,	
Feed,		condition:	
cottonseed meal:		Bigler, G. R., Co-----	5780
Richmond Cotton Oil Co--	5793	Pulp, tomato. <i>See</i> Tomato pulp.	
malt sprouts:		Root,	
Neumond, K. & E-----	5764	granulated true unicorn:	
sunshine molasses dairy:		Hillier's, R., Son Co-----	5762
Ferber Grain Co-----	5759	Sauce, tomato. <i>See</i> Tomato sauce.	
wheat shorts:		Shorts. <i>See</i> Feed.	
Cape County Milling Co--	5796	Specific,	
Fever tonic. <i>See</i> Tonic.		hog cholera:	
Gonorrhea and gleet 3 day cure. <i>See</i>		Bigler, G. R., Co-----	5780
Cure.		Sunshine molasses dairy feed. <i>See</i>	
Grapefruit:		Feed.	
Alexander & Baird-----	5768	Tomato.	
and oranges:		paste:	
Sligh, S. J., & Co-----	5769	Taormina, V., & Co-----	5782
Hog cholera specific. <i>See</i> Specific.		pulp:	
tonic. <i>See</i> Tonic.		Hearn, J. Frank-----	5751
Hydrogen peroxid. <i>See</i> Peroxid.		Mantik Packing Co-----	5770
Liniment,		Rider Packing Co-----	5765
chloroform:			
Butler, Homer K-----	5767		

Tomato,			Unicorn root. <i>See</i> Root.	
sauce:	N. J. No.		Vinegar:	N. J. No.
Webster, W., & Co-----	5775		Allegan Cider & Vinegar Co_	5753
Windy Hill Packing Co-----	5799		Gist-Leo Vinegar Co--	5783, 5786
Tomatoes:			Monarch Vinegar Works--	5758
Booth Packing Co---- 544 ,	5755		Walker's dead shot colic cure:	
Langrall, J., & Bro-----	5773		Walker Co -----	5781
Sisk, A. W., & Son-----	5787		Water,	
Tonic,			lithiated Mount Clemens aper-	
anti hog cholera:			ent:	
Bigler, G. R., Co-----	5780		Meyer, John-----	5757
fever, old Indian:			Wheat shorts. <i>See</i> Feed.	
Walker Co -----	5781			

# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 5801-5850.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 30, 1918.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5801. Adulteration and misbranding of vinegar. U. S. \* \* \* v. John J. Kinney (Kinney Cider Co.). Plea of guilty. Fine, \$25. (F. & D. No. 8255. I. S. No. 20674-1.)**

On June 13, 1917, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John J. Kinney, trading as Kinney Cider Co., Benton Harbor, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about April 28, 1916, from the State of Michigan into the State of Illinois, of a quantity of an article labeled in part, "Pure Apple Vinegar," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	0.35
Glycerol (gram per 100 cc)-----	0.13
Solids (gram per 100 cc)-----	1.00
Nonsugar solids (gram per 100 cc)-----	0.81
Reducing sugar as invert after evaporation, before inversion (gram per 100 cc)-----	0.19
Ash (gram per 100 cc)-----	0.19
Ash in nonsugar solids (per cent)-----	23.4
Alkali-soluble ash (cc N/10 acid per 100 cc)-----	20.3
Insoluble ash (gram per 100 cc)-----	0.027
Acidity as acetic (grams per 100 cc)-----	3.87
Total phosphoric acid (milligrams per 100 cc)-----	13.7

The analysis shows that the product consists of cider vinegar with admixture of water and distilled vinegar or acetic acid.

Adulteration of the article was alleged in the information for the reason that distilled vinegar and dilute acetic acid had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure apple vinegar, which the article purported to be.

Misbranding was alleged in substance for the reason that the statement concerning the article and the ingredients and substances therein contained appearing on the label, to wit, "Pure Apple Vinegar," was false and misleading in that it represented to purchasers that the article was pure apple vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was pure apple vinegar, whereas, in truth and in fact, it was not, but was a mixture of apple vinegar with distilled vinegar and dilute acetic acid.

On June 21, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5802. Misbranding of cottonseed meal or cake. U. S. \* \* \* v. Chickasha Cotton Oil Co. (The Hobart Cotton Oil Mill). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8260. I. S. No. 19700-m.)**

On August 8, 1917, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Chickasha Cotton Oil Co., a corporation, Chickasha, Okla., doing business under the trade name of The Hobart Cotton Oil Mill, Hobart, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 19, 1916, from the State of Oklahoma into the State of Iowa, of a quantity of an article labeled in part, "Standard Choice Cotton Seed Meal or Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	13.8
Protein (Nx6.25) (per cent)-----	38.1

These results show that the product contains less protein and more fiber than is guaranteed upon the label.

Misbranding of the article was alleged in the information for the reason that the statement borne on the tags attached to the sacks, regarding it and the ingredients and substances contained therein, to wit, "Guaranteed Analysis \* \* \* Protein \* \* \* not less than 41 to 43 per cent \* \* \* Crude Fibre \* \* \* not more than 10½ to 12 per cent," was false and misleading in that it represented that the article contained not less than 41 per cent of protein and not more than 12 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 41 per cent of protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained less than 41 per cent of protein and more than 12 per cent of crude fiber, to wit, approximately 38.1 per cent of protein and approximately 13.8 per cent of crude fiber.

On September 19, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5803. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 4 Tanks \* \* \* of Vinegar. Consent decree of condemnation and forfeiture. Product released on bond. ((F. & D. No. 8264. I. S. No. 20186-m. S. No. C-691.))**

On May 21, 1917, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 tanks of vinegar, remaining unsold in the original unbroken packages at Dallas, Tex., alleging that the article had been shipped on or about April 27, 1917, by the Gist-Leo Vinegar Co., Springfield, Mo., and transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was invoiced as pure cider vinegar.

Adulteration of the article was alleged in the libel for the reason that distilled vinegar or dilute acetic acid had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure cider vinegar.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure cider vinegar, whereas, in truth and in fact, it was not pure cider vinegar.

On June 13, 1917, the said Gist-Leo Vinegar Co., claimant, having consented to a decree, judgment for condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to the said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5804. Adulteration of walnut meats. U. S. \* \* \* v. 6 Barrels and 45 Cases of Walnut Meats. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered denatured.** (F. & D. No. 8265. I. S. Nos. 22269-m, 22270-m, 22271-m, 22272-m, 22273-m. S. No. W-183.)

On May 22, 1917, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 barrels and 45 cases of walnut meats, consigned during the months of February, March, and April, 1916, by J. Kutsukian & Co., and Birdsong Bros., New York, N. Y., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped and transported from the State of New York into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated for the reason that it consisted in part of moldy, shriveled, and stale walnut meats and was infested with insect web and excreta.

On June 27, 1917, the Cosner Candy Co., Denver, Colo., claimant, having consented to a decree and filed bond in the sum of \$400, in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant, and that the claimant should denature the portion of the product unfit for human consumption so that it might be used for food for domestic animals, and that the Government recover of said claimant the costs of the proceedings.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5805. Misbranding of sardines. U. S. \* \* \* v. Otto H. Dickman (O. H. Dickman Fish Co.). Plea of guilty. Fine, \$50. (F. & D. No. 8267. I. S. Nos. 11385-m, 11395-m.)

On July 2, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Otto H. Dickman, doing business as the O. H. Dickman Fish Co., Cincinnati, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 26, 1917, and February 2, 1917, from the State of Ohio into the State of Indiana, of quantities of an article labeled, "Imported Russian Sardines," which was misbranded.

Misbranding of the article in each shipment was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On October 9, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5806. Adulteration of tomatoes. U. S. \* \* \* v. Webster-Butterfield Co., a corporation. Plea of guilty. Fine, \$30 and costs. (F. & D. No. 8269. I. S. Nos. 1717-m, 1967-m.)**

On August 24, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Webster-Butterfield Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 10, and September 28, 1916, from the State of Maryland into the States of Connecticut and South Carolina, respectively, of quantities of an article labeled in part, "Southern Queen" (or "Webster's Best") "Brand Tomatoes," which in each shipment was adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed it to contain added water.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, added water, had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article.

On August 24, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$30 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5807. Adulteration of tomato pulp. U. S. \* \* \* v. 90 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8271. I. S. No. 1465-m. S. No. E-850.)

On June 12, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 90 cans of tomato pulp, consigned on or about March 24, 1917, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Potts & Kaufman, Inc., Perth Amboy, N. J., and transported from the State of New Jersey into the State of Pennsylvania, and thereafter reshipped into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was partly decomposed and that the cans containing the article were swollen and leaking.

On July 13, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**580S. Adulteration of tomato pulp. U. S. \* \* \* v. 177 Cans \* \* \* of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8272. I. S. No. 1465-m. S. No. E-851.)

On June 13, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 177 cans, each containing 5 gallons of tomato pulp, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about May 17, 1917, by Potts & Kaufmann, Inc., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in particular, wholly or in part, of a decomposed vegetable product.

On July 5, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5809. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 19 Barrels \* \* \* of Gelatin. Consent decree of condemnation, forfeiture, and destruction. Product ordered released on bond. (F. & D. No. 8275. I. S. Nos. 10646-m, 10647-m. S. No. C-693.)**

On June 22, 1917, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 barrels of gelatin, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on May 5, 1917, and May 16, 1917, by L. R. Burch & Co., New York, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it was composed of a certain substance, to wit, glue, which said substance, containing excessive amounts of zinc, had been substituted for "Pure Food Gelatin," which the article purported to be, and further for the reason that the article contained an added poisonous and deleterious ingredient, to wit, zinc, which might render such article injurious to health.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Pure Food Gelatin." Misbranding of the article was alleged for the further reason that it was in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On August 17, 1917, the said L. R. Burch & Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant on the payment of costs of proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article should be relabeled under the supervision of the United States marshal and a representative of this department, as follows: "Not to be used for food or for the manufacture of food articles."

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5810. Adulteration and misbranding of oil of birch. U. S. \* \* \* v. 8 Packages \* \* \* of \* \* \* Oil of Birch. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F & D. No. 8276. I. S. No. 12704-m. S. No. C-694.)**

On June 21, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 packages, each containing approximately 53 pounds of an article designated as oil of birch, consigned on May 14, 1917, by J. B. Johnson, Hickory, N. C., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of North Carolina into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was invoiced as oil of birch.

Adulteration of the article was alleged in the libel for the reason that synthetic methyl salicylate had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for pure oil of birch, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Oil Sweet Birch," when, in truth and in fact, it was a product consisting in part of oil of birch and largely of synthetic methyl salicylate.

On October 2, 1917, the said J. B. Johnson, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product, after having been relabeled under the supervision of this department, should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,400, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5811. Adulteration of eggs. U. S. \* \* \* v. 800 Cases of Eggs. Consent decree of condemnation and forfeiture. Good portion released on payment of the costs. Unfit portion ordered to be used for tanning purposes only. (F. & D. No. 8280. I. S. Nos. 12271-m, 12272-m. S. No. C-698.)

On June 25, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 800 cases, each containing 30 dozen eggs, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about June 19, 1917, by A. B. Walker & Sons, Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On July 10, 1917, the said A. B. Walker & Sons and H. H. Bergman, St. Louis, Mo., claimants, having filed their answer and claim, and the case having come on for final disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of the product found fit for food by representatives of this department should be released to said claimants upon the payment of the costs of the proceedings, and that the unfit portion should be cracked or otherwise treated so as to prevent its use as a food and released to claimants to be used for tanning purposes only.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5812. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 1 Barrel of Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8283. I. S. No. 12176-m. S. No. C-703.)**

On July 2, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel, containing 305 pounds of gelatin, consigned on or about December 29, 1916, by W. K. Jahn Co., Chicago, Ill., remaining unsold in the original unbroken package at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Illinois into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained added poisons [poisonous] and deleterious ingredients, to wit, arsenic, copper, and zinc, which might render said article of food injurious to health.

Misbranding of the article was alleged for the reason that it was offered for sale, sold, and invoiced under the distinctive name of gelatin, when, in truth and in fact, it was not, but was another article, to wit, a mixture of gelatin, arsenic, copper, and zinc.

On October 2, 1917, the said W. K. Jahn Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be relabeled under the supervision of this department and released to said claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5813. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 2 Barrels of \* \* \* Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8284. I. S. No. 8812-m. S. No. E-853.)**

On July 3, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels of gelatin, consigned by W. K. Jahn Co., Chicago, Ill., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about May 2, 1917, and transported from the State of Illinois into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that glue had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for gelatin, and for the further reason that it contained added poisonous and deleterious ingredients, to wit, copper and zinc, which might render the same injurious to health.

Misbranding of the article was alleged in substance in the libel for the reason that its packages contained labels which bore the statement, "Gelatine," regarding the article and the ingredients and substances contained therein, which was false and misleading in that it indicated to purchasers that the packages contained gelatin, when, in fact, they did not; and for the further reason that the product, consisting largely of glue, was an imitation of, and offered for sale under the distinctive name of, another article, to wit, gelatin.

On July 28, 1917, the said W. K. Jahn Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$800, in conformity with section 10 of the act, conditioned in part that the article should be relabeled under the supervision of this department and should not be used for food purposes or in the manufacture of articles of food.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5814. Adulteration and misbranding of chocolate candy. U. S. \* \* \* v. The Touraine Co., a corporation. Plea of nolo contendere. Fine, \$50. (F. & D. No. 8293. I. S. No. 2130-m.)**

On July 20, 1917, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Touraine Co., a corporation, doing business at Boston, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 24, 1916, from the State of Massachusetts into the State of New York, of a quantity of an article labeled in part, "Tammany Chocolates," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department shows the following results:

Ether extract (per cent)-----	30.05
Constants of fat:	
Critical temperature of dissolution (degrees)-----	83.5
Saponification number -----	196.6
Iodin number-----	36.3
Free fatty acids as oleic (per cent)-----	1.10
Titer test (degrees)-----	46.7

Examination shows the presence of a foreign fat.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, a fat or fats foreign to chocolate, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for chocolate-coated candy, which the article purported to be; and for the further reason that the article was an inferior product, to wit, a chocolate-coated candy in which the chocolate coating contained a fat or fats foreign to chocolate and had been mixed in a manner whereby its inferiority to pure chocolate-coated candy was concealed.

Misbranding was alleged for the reason that the following statement regarding the article and ingredients and substances contained therein appearing on the label, to wit, "Almond Tops \* \* \* Tammany Chocolates \* \* \*," was false and misleading in that it represented to purchasers that the article was a pure chocolate-coated candy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was a pure chocolate-coated candy, when, in truth and in fact, it was not, but was, to wit, a candy in which the coating contained a fat or fats foreign to chocolate, and for the further reason that it was, to wit, a candy in which the coating contained a fat or fats foreign to chocolate and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, chocolates.

On July 30, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5815. Adulteration of oysters. U. S. \* \* \* v. Joseph H. Chivell. Plea of guilty. Fine, \$20. (F. & D. No. 8300. I. S. No. 3802-m.)

On July 6, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of said district an information against Joseph H. Chivell, Washington, D. C., alleging the offering for sale and the sale by said defendant, at the District aforesaid, in violation of the Food and Drugs Act, on December 20, 1916, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Liquor (per cent)-----	26.4
Meats (per cent)-----	73.6
Total solids (entire sample) (per cent)-----	10.2
Sodium chlorid (liquor) (per cent)-----	0.69
Meats:	
Solids (per cent)-----	13.10
Ash (per cent) -----	0.94
Sodium chlorid (per cent)-----	0.11
Loss on boiling (per cent)-----	60.

Results indicate that these oysters have been soaked.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oysters and oyster liquor, which the article purported to be.

On July 6, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5816. Adulteration and misbranding of mineral spring water. U. S. \* \* \* v. Benscot Mineral Springs Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 8303. I. S. No. 3210-m.)**

On August 13, 1917, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Benscot Mineral Springs Co., a corporation, Austell, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 10, 1917, from the State of Georgia into the State of Florida, of a quantity of an article labeled in part, "Benscot \* \* \* Natural Mineral Spring Water," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Bottle No -----	1	2	3	4	5
Ammonia, free (as nitrogen) -----	0.030	0.024	---	---	---
Ammonia, albuminoid (as nitrogen) -----	.012	.006	---	---	---
Nitrogen as nitrites -----	.002	.002	.002	.002	.001
Nitrogen as nitrates -----	---	.10	---	---	---
Bicarbonic acid (HCO <sub>2</sub> ) -----	---	144.0	---	---	---
Chlorin (Cl) -----	---	1,968.0	---	---	---
Residue at 110° C. -----	---	3,993.0	---	---	---

Results expressed in milligrams per liter.

#### CONTENTS.

Bottle 1, 1 qt., 28 fluid ounces.

2, 1 qt., 28½ fluid ounces.

3, 1 qt., 27½ fluid ounces.

5, 1 qt., 28½ fluid ounces.

7, 1 qt., 28 fluid ounces.

Average 1 qt., 28.1 fluid ounces.

The number of organisms per cc developing on gelatin, after 4 days at 20° C., ranged from 3,700 to 98,000 and on agar, after 1 day at 37° C., from 2 to 240, in the eight bottles examined. The number of liquefying organisms per cc ranged from 700 to 3,000. Lactose broth fermentation tubes, after 2 days at 37° C., showed gas developing in 5 cc quantities from 3 bottles and the presence of *B. coli* was confirmed in each of the 3 bottles.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal or vegetable substance.

Misbranding of the article was alleged for the reason that the statement borne on the label attached to the bottle, to wit, "Contents of this bottle 1 quart and 30 ounces," regarding the article was false and misleading in that it represented that said bottle contained 1 quart and 30 ounces of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the bottle contained 1 quart and 30 ounces of the article, whereas, in truth and in fact, it did not, but contained a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 20, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*



5817. Misbranding of vermouth. U. S. \* \* \* v. August Petrucci (Venetian Distilling Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8305. I. S. No. 11892-m.)

On September 6, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against August Petrucci, trading as the Venetian Distilling Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 23, 1916, from the State of Missouri into the State of Illinois, of a quantity of an article, labeled in part, "Vermouth di Vino," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	13.5
Solids (grams per 100 cc)-----	12.62
Sugars as invert before inversion (grams per 100 cc)-----	1.81
Sucrose by copper (grams per 100 cc)-----	9.94
Nonsugar solids (gram per 100 cc)-----	.86
Ash (gram per 100 cc)-----	.05
Alkalinity of water-soluble ash (cc N/10 acid for ash from 100 cc)-----	4.4
Phosphoric anhydride (milligrams per 100 cc)-----	4.4
Total tartrates as tartaric acid (gram per 100 cc)-----	.02
Total acidity (cc N/10 alkali per 100 cc)-----	6.0
Nonvolatile acidity calculated as tartaric acid (gram per 100 cc)-----	.02

This product is a mixture containing a small proportion of wine.

Net contents are not stated upon the label.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Vermouth di Vino," and the statement, to wit, "Vermouth \* \* Qualita Superiore \* \* Venezia," together with certain designs and devices borne on its label, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a vermouth which contained at least 50 per cent of wine and that it was a foreign product, to wit, a vermouth produced in the Kingdom of Italy; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a vermouth which contained at least 50 per cent of wine and was a foreign product, to wit, a vermouth produced in the Kingdom of Italy, whereas, in truth and in fact, it was not, but was, to wit, a vermouth prepared from a mixture which contained approximately 17½ per cent of wine, and [was] produced in the United States of America. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of package.

On September 20, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5818. Adulteration of tomatoes and oysters. U. S. \* \* \* v. J. Langrall and Brother, a corporation. Plea of guilty. Fine, \$75 and costs.**  
(F. & D. No. 8309. I. S. Nos. 1725-m, 2190-m, 21590-m.)

On September 14, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. Langrall and Bro., a corporation, doing business at Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 25, 1916, and August 16, 1916, from the State of Maryland into the State of Pennsylvania, of quantities of an article labeled in part, "Maryland Chief Tomatoes," and on January 15, 1917, from the State of Maryland into the State of Colorado, of a quantity of oysters, both of which articles were adulterated.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the shipments of tomatoes on November 25, 1916, and August 16, 1916, and the shipment of oysters on January 15, 1917, contained added water.

Adulteration of both shipments of the tomatoes was alleged in substance in the information for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for tomatoes, which the article purported to be.

Adulteration of the oysters was alleged in substance for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be.

On September 14, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$75 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5819.—Adulteration of tomatoes. U. S. \* \* \* v. Oliver P. Roberts, James H. Roberts, William H. Roberts, M. R. Roberts, and James O. Langrall (Roberts Bros.). Pleas of guilty. Fine, \$50. (F. & D. No. 8310. I. S. No. 2836-m.)

On September 14, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Oliver P. Roberts, James H. Roberts, William H. Roberts, M. R. Roberts, and James O. Langrall, copartners, trading as Roberts Bros., Baltimore, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about October 18, 1916, from the State of Maryland into the State of Massachusetts, of a quantity of an article, labeled in part, "Big R. Brand Tomatoes," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the article contained added water.

Adulteration of the article was alleged in substance in the information for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in part for tomatoes, which the article purported to be.

On September 14, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5820. Misbranding of "La Franco Combination Treatment" and "La Franco Vitalizer No. 200." U. S. \* \* \* v. Charles E. Luburg (La Franco Medical Co.). Plea of guilty. Fine, \$75. (F. & D. No. 8318. I. S. Nos. 1290-m, 1291-m.)**

On September 13, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles E. Luburg, trading as La Franco Medical Co., Philadelphia, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about October 27, 1916, from the State of Pennsylvania into the State of New Jersey, of quantities of articles labeled in part, "La Franco Combination Treatment" (which included "The La Franco Female Pills No. 2," "The La Franco Blood & Emmenagogue Remedy," "The La Franco Antiseptic Douche Powder," and "The La Franco Tea Tablets") and "La Franco Vitalizer No. 200," which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department show the following results:

Female Pills No. 2: A coated tablet.

Coating: Iron oxid, sucrose, and starch.

Medicinal (decoated).

Average weight (gram)-----	0.29
Aloes-----	Present.
Emodin-----	Present.
Ferrous sulphate-----	Present.
Alkaloid (ergotine indicated)-----	Present.
Volatile oil (steam distillation)-----	Possible trace only.
Ash (acid-insoluble sand) (gram per tablet) _	0.015
Crude fiber (gram per tablet)-----	0.011
Ferric oxid (gram per tablet)-----	0.029
Alkaloid (gram per tablet)-----	0.0004
Phosphorus (free)-----	Absent.
Ginger extract-----	Absent.
Capsicum extract-----	Absent.
Guaiac-----	Absent.
Cantharides-----	Absent.
Veratrine-----	Absent.
Hydrastine-----	Absent.
Strychnine-----	Absent.
Lignified tissue (possibly licorice)-----	Present.

The medicinal ingredients consist essentially of aloes, emodin, ferrous sulphate, alkaloid (ergotine indicated), and a trace of crude drug.

Blood, Nerve, and Emmenagogue Remedy: A coated tablet.

Coating: Cochineal lake, sucrose, and starch.

Medicinal (decoated).

Average weight (gram)-----	0.175
Strychnine (gram per tablet)-----	0.0006
Quinine (gram per tablet)-----	0.0046
Ferric oxid (gram per tablet)-----	0.012
Phosphoric acid as $P_2O_5$ (gram per tablet) _	0.009
Reducing sugar as lactose (gram per tablet) _	0.104
Drug extract-----	None.

## Blood, Nerve, and Emmenagogue Remedy—Continued.

Powdered drug	None.
Arsenic	Trace only.
Mercury salts	Absent.
Sodium salts	Trace only.
Potassium salts	Trace only.
Phosphorus (free)	None.
Iodid	None.
Salicylate	None.

The medicinal ingredients are essentially iron, quinine, strychnine, and phosphate.

## Antiseptic Douche Powder:

Boric acid (per cent by weight)	5.3
Potash alum (anhydrous) (per cent by weight)	18.5
Sodium borate (anhydrous) (per cent by weight)	47.0
Phenol (per cent by weight)	1.4
Menthol-carrying oil	Trace.
Loss at 100° C. (per cent by weight)	27.8
Mercury salt	Absent.
Arsenic	Absent.
Zinc salts	Absent.
Ammonium salts	Absent.
Starch	Absent.
Alkaloids	Absent.
Tannin	Absent.
Iodin compounds	Absent.
Copper, lead, mercury, silver, zinc, and ammonium salts	Absent.

The preparation consists essentially of borax, boric acid, alum, phenol, and oil of peppermint.

## Tea Tablets:

An uncoated tablet.	
Average weight (gram)	0.87
Ash (per cent by weight)	5.0
Iron and manganese oxids	Present.
Calcium, magnesium, sodium, potassium	Traces.
Lactose (per cent by weight)	90.0
Oil pennyroyal	Present.
Caffeine	None.
Alkaloid	None.
Antipyrin	None.
Emodin	None.
Resins	None.
Glycyrrhiza	None.
Vegetable extractive	Possible trace only.
Vegetable tissue	Possible trace only.
Gum	Possible trace only.
Starch	None.

Caramel: Indicated by paraldehyde test.

The preparation consists essentially of lactose, oil of pennyroyal, manganese, and iron oxids, a trace of soluble manganese salt, and a probable small amount of caramel.



## The Vitalizer No. 200:

Coating: Iron oxid, sugar, and starch.

Medicinal (decoated).

Average weight (gram)-----	0.22
Ferric oxid (per cent by weight)-----	18.9
Phosphoric acid (total) as $P_2O_5$ (per cent by weight)-----	26.1
Zinc phosphid (per cent by weight)-----	0.08
Reducing sugars as lactose (per cent by weight)-----	30.1
Arsenic-----	Trace.
Manganese-----	Present.
Strychnine-----	Present.
Gum-----	Present.
Iodid, bromid-----	Absent.
Sodium, potassium-----	Small amount present.
Vegetable extractive-----	Absent.
Resins-----	Absent.
Phosphorus (free)-----	Absent.
Proteid-----	Little, if present.

The medicinal ingredients consist essentially of iron, manganese, zinc, arsenic, phosphate, phosphid, and strychnine.

It was alleged in substance in the information that the "Combination Treatment" was misbranded for the reason that certain statements appearing on its labels falsely and fraudulently represented the articles composing it as a combination treatment for obstinate, stubborn, and long standing cases of delayed, irregular, and suppressed monthly periods, and all inflammatory conditions of vagina, womb, and uterine appendages, when, in truth and fact, it was not. Misbranding was alleged in substance for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented the articles composing it as a remedy for the most obstinate, stubborn and long standing cases of suppression, for painful, delayed, irregular, and suppressed monthly periods, as a blood purifier, as a valuable remedy for impure and watery blood, shattered nerve forces, female weakness, leucorrhea, tardy, painful, and irregular periods, as a remedy for amenorrhea, dysmenorrhea, exhaustion, anæmia, convalescence of wasting fevers, and after all exhausting diseases, and as a remedy in the first stages of consumption and wherever, from any cause whatsoever, the energies flag, the body wastes, and the health and strength are impaired, as a remedy for tardy development of girls, whites or leucorrhea, irregular menstruation and painful menstruation, and as a treatment for irregularities, suppression, painful monthly periods, and all inflammatory conditions of the vagina, womb, and uterine appendages, when, in truth and in fact, it was not.

It was alleged in substance that "The Vitalizer" was misbranded for the reason that a certain statement appearing on its label falsely and fraudulently represented it as a remedy for nervous debility, overwork, mental strain, loss of flesh and strength, seminal weakness, spermatorrhea, impotency, nightly emissions, weakness from youthful errors and evil habits, and for loss of fluids, when, in truth and in fact, it was not. Misbranding was alleged in substance for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a remedy for varicocele, sexual weakness, and sexual debility, when, in truth and in fact, it was not.

On September 24, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5821. Adulteration and misbranding of "Hydrozone." U. S. \* \* \* v. The Drevet Mfg. Co., a corporation. Plea of guilty. Fine, \$15. (F. & D. No. 8320. I. S. No. 20280-1.)

On September 4, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Drevet Mfg. Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on April 10, 1916, from the State of New York into the State of California, of a quantity of an article labeled in part, "Hydrozone \* \* \* The Drevet Manufacturing Co. New York U. S. A.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry, of this department, showed the following results:

Hydrogen peroxid (per cent)-----	5.45
Acetanilid (grain per fluid ounce)-----	0.02

Adulteration of the article was alleged in the information for the reason that it was sold under the professed standard of strength of "Hydrogen Dioxide 9%," whereas, in truth and in fact, it fell below said professed standard of strength in that it did not contain 9 per cent of hydrogen dioxid, but contained a less amount, to wit, 5.45 per cent.

Misbranding of the article was alleged for the reason that the statement on the label, "Hydrogen dioxide 9%," was false and misleading in that it represented that said article contained 9 per cent of hydrogen dioxid, whereas, in truth and in fact, it did not, but contained less, to wit, 5.45 per cent. Misbranding of the article was alleged for the further reason that it contained a quantity of acetanilid, and the package containing the article failed to bear on the label a statement of the presence, the quantity, or the proportion of said acetanilid.

On November 5, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5822. Misbranding of Bristol's sarsaparilla. U. S. \* \* \* v. Mary Augusta Kemp, Edward Kemp, and Edward Charles Mears Kemp (Lanman & Kemp). Pleas of guilty. Fine, \$50. (F. & D. No. 8321. I. S. No. 8375-m.)**

On September 12, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mary Augusta Kemp, Edward Kemp, and Edward Charles Mears Kemp, doing business as Lanman & Kemp, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on November 16, 1916, from the State of New York into the Island of Porto Rico, of a quantity of an article labeled in part, "Bristol's Sarsaparilla," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that this product consisted essentially of a hydroalcoholic solution of potassium iodid, sugar, and plant extractives. Indications of sarsaparilla and arbutin.

Alcohol (per cent by volume)-----	8.2
Solids (grams per 100 cc)-----	17.6
Ash (gram per 100 cc)-----	0.76
Iodid as potassium iodid (gram per 100 cc)-----	0.43
Reducing sugars as invert (grams per 100 cc)-----	15.0
Sucrose: None.	

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a purifier of the blood and as a remedy for affections and diseases of the blood, rheumatic affections, skin diseases, neuralgic affections, nervous and general debility of the system, dizziness, and liver affections which lead to bilious and other fevers, when, in truth and in fact, it was not. Misbranding was alleged in substance for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it to be effective as a remedy for cleansing the blood, to expel and hurl from the system vitiated humors and pernicious germs which are manifested in malignant eruptions, persistent sores and herpes, scrofula, glandular swellings, and rheumatism, as a treatment for paludism and paludic fevers, intermittent and remittent fevers, rheumatism, ulcers, and eruptions, as a remedy for affections rheumatic, scrofulous, syphilitic, and others which arise from disturbances or impurity of the blood, herpes, eruptions, and sores, as a preventive or treatment for phthisis or consumption, as a treatment for erysipelas, rash, herpes, cutaneous eruptions (salt rheum), tinea, scorbutus, nervous affections, tic douloureux, neuralgic affections, and for syphilis in its various forms (primary, secondary, and tertiary), as well as in phagadenic and scrofulous ulcers, advanced syphilis, and skin diseases, as a preventive of chills and fevers and contagious diseases also, as well as for cutaneous affections and diseases which emanate from a vitiated state of blood, produced by impure air or water, and as a treatment for hemorrhage from the lungs, prolapse of the uterus, jaundice, and general prostration, diarrhea and King's Evil, when, in truth and in fact, it was not.

On September 24, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5823. Adulteration and misbranding of brandy. U. S. \* \* \* v. The I. Trager Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8328. I. S. No. 12170-m.)**

On August 18, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The I. Trager Co., a corporation, Cincinnati, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 8, 1917, from the State of Ohio into the State of New York, of a quantity of an article, labeled in part, "California Brandy," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, reported in grams per 100 liters, 100 proof alcohol, except when otherwise stated:

Proof (degrees)-----	85.0
Acids, total, as acetic-----	4.2
Esters as acetic-----	26.9
Aldehydes as acetic-----	2.2
Fusel oil-----	12.5
Caramel-----	Positive.

Neutral spirits, artificially colored, have been substituted in part for brandy.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, neutral spirits, artificially colored, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for brandy, which the article purported to be.

Misbranding was alleged for the reason that the statement borne on the label, regarding the article and the ingredients and substances contained therein, to wit, "California Brandy," was false and misleading in that it represented to purchasers that the product was California brandy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the product was California brandy, whereas, in truth and in fact, it was not, but consisted largely of neutral spirits, artificially colored, and this false and misleading statement and deceptive and misleading labeling were not corrected by the statement, "Compounded With Grain Distillate Brandy," appearing on the reverse end of the barrel.

On October 9, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5824. Misbranding of "P. P. P. Prickly Ash Poke Root Potassium and Stillingia." U. S. \* \* \* v. 4 Dozen Bottles of \* \* \* "P. P. P. Prickly Ash Poke Root Potassium and Stillingia." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8330. I. S. No. 4422-m. S. No. E-855.)**

On July 7, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of four dozen bottles of "P. P. P. Prickly Ash Poke Root Potassium and Stillingia," remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by F. V. Lippman, Savannah, Ga., and transported from the State of Georgia into the State of Maryland, the consignments having been received about June 17 and 20, 1917, and charging misbranding in violation of the Food and Drugs Act, as amended.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements appearing on the bottle label, to wit, "P P P The Great Blood Purifier. A successful remedy for Rheumatism, Blood Poison and all Blood Diseases. \* \* \*," and upon the carton, to wit, "P P P \* \* \* Valuable Remedy for Syphilis and Scrofulas and is recommended for Rheumatism, Gout, Old Sores, Glandular Enlargements, and all conditions arising from Blood Poison. \* \* \*," and upon the circular accompanying the article, to wit, "Liver complaints, and all other concomitant symptoms, such as Jaundice, Headache, Bilious Eruptions, Indigestion, Languor, and General Derangement of the System. \* \* \* For Dyspepsia, Indigestion, Biliousness, Loss of Appetite, Sick Headache, \* \* \* For St. Anthony's Fire, Rose or Erysipelas, Tetters, Pimples, Salt Rheum, Scald Head, \* \* \* After Diphtheria, Scarlet Fever, Typhoid Fever and Pneumonia, \* \* \* nervousness, nervous headaches and nervous dyspepsia \* \* \* Eczema, Herpes, Psoriasis, Ringworm, Camp Itch. \* \* \* Distress after Eating, Pains in the Back, Headache. \* \* \* Enlargement, Ulceration and Exfoliation of the Bones. Diseases of the Heart, Dyspepsia, Fits, Epileptic Fits, Neuralgia, Melancholy, Sore Eyes, Dropsy and Dropsical Swellings \* \* \* Syphilis and Scrofula \* \* \* For Tumors, Ulcers and Sores. \* \* \* For Skin Diseases, Eruptions, Postules, \* \* \* Boils \* \* \* all diseases of the blood, bones and tissues, the kidneys and bladder, the bowels, stomach and digestive organs, the heart and nervous system, the generative organs of either sex, the lungs and bronchials, the mouth, throat and nasal cavities, and in all cases of animal or vegetable blood poisoning. \* \* \* Necrosis of the Bone, \* \* \* Ulcerated or swollen glands, abscesses \* \* \* carbuncles \* \* \* hip diseases, white swelling, King's evil, sore eyes of scrofulous origin, kidney and liver disease \* \* \*," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it in said bottle label, carton, and circular.

On August 9, 1917, no claimant having appeared for the property, judgment for condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5825. Adulteration of prunes. U. S. \* \* \* v. 450 Pounds of Prunes.**  
**Consent decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 8332. I. S. No. 5423-m. S. No. E-854.)

On July 9, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 450 pounds of prunes, consigned by Joseph Peters, New York, N. Y., remaining unsold in original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about June 23, 1917, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, decomposed, and putrid animal and vegetable substance.

On July 13, 1917, the said Joseph Peters, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5826. Adulteration of eggs. U. S. \* \* \* v. 10 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 8334. I. S. No. 12610-m. S. No. C-700.)**

On June 21, 1917, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases of shell eggs, remaining unsold in the original unbroken packages at Memphis, Tenn., alleging that the article had been shipped by J. Niles Boyd, Kosciusko, Miss., and transported from the State of Mississippi into the State of Tennessee, the article having been delivered on or about June 20, 1917, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On June 26, 1917, the said J. Niles Boyd, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product should be candled under the supervision of a representative of this department.

CARL VROOMAN. *Acting Secretary of Agriculture.*

**5827. Adulteration of eggs. U. S. \* \* \* v. 10 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 8335. I. S. No. 12611-m. S. No. C-701.)**

On June 21, 1917, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases of shell eggs, remaining unsold in the original unbroken packages at Memphis, Tenn., alleging that the article had been shipped by Brewer & Leigh, Duck Hill, Miss., and transported from the State of Mississippi into the State of Tennessee, the article having been delivered on or about June 22, 1917, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On June 29, 1917, the said Brewer & Leigh, claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product should be candled under the supervision of a representative of the department.

**CARL VROOMAN, *Acting Secretary of Agriculture.***

**5828. Adulteration of tomato pulp. U. S. \* \* \* v. 50 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8340. I. S. No. 2303-p. S. No. E-861.)

On July 16, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of tomato pulp, consigned by J. D. Sisler Co., Wilmington, Del., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about June 21, 1917, and transported from the State of Delaware into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Ruxton Brand Tomato Pulp. Mantik Packing Company, Distributors. \* \* \* Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that it consisted of a decomposed vegetable substance.

On August 10, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5829. Adulteration of strawberries. U. S. \* \* \* v. 276 Dozen Cans of Strawberries. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 8341. I. S. No. 12267-m. S. No. C-702.)

On July 17, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 276 dozen cans of strawberries, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about March 23, 1917, by the Wedoit Co., Columbus, Ohio, and transported from the State of Ohio into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Crusoe Brand Strawberries in Syrup."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance and was unfit for use as food.

On September 7, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5830. Adulteration of eggs. U. S. \* \* \* v. 52 Cases \* \* \* Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 8345. I. S. No. 1204-p. S. No. E-862.)

On July 11, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 52 cases of eggs, consigned by J. K. Lasher & Bro., New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about June 13, 1917, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted of a filthy and decomposed animal substance.

On August 10, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal. On September 13, 1917, the goods not having been destroyed, a petition to set aside the decree of destruction was filed and granted, and on the same date, I. Walter Bickley, Philadelphia, Pa., claimant, having admitted the averments of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the eggs should be recandled under the supervision of a representative of this department.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5831. Adulteration of eggs. U. S. \* \* \* v. 20 Cases of Eggs. Consent decree of condemnation and forfeiture. Good portion released on bond. (F. & D. No. 8346. I. S. No. 1206-p. S. No. E-864.)**

On July 16, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases of eggs, consigned by the J. K. Morrison Grocery and Produce Co., Statesville, N. C., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about July 13 and 14, 1917, and transported from the State of North Carolina into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole and in part of a filthy and decomposed animal and vegetable substance.

On July 20, 1917, Frank E. Lamb, Philadelphia, Pa., claimant, having admitted the allegations in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed. It was further provided, however, that upon the payment of the costs of the proceedings and the execution by said claimant of a bond in the sum of \$324, in conformity with section 10 of the act, conditioned in part that the product should be recandled under the supervision of a representative of this department, and the portion fit for food and human consumption should be released to said claimant.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5832. Adulteration of frozen eggs. U. S. \* \* \* v. 392 Cases and 130 Tins of Frozen Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8347. I. S. Nos. 21283-m, 21284-m. S. No. W-187.)**

On July 27, 1917, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 392 cases, each containing two 50-pound tins, and 130 tins of 50 pounds each of frozen eggs, remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about June 1, 1917, by Charles Jacobson, San Francisco, Cal., and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of filthy and decomposed animal substances and was unfit for consumption.

On August 20, 1917, the said Charles Jacobson and the Diamond Ice and Storage Co., Seattle, Wash., claimants, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should be denatured under the direction and supervision of a representative of this department.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5833. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 50  
Barrels \* \* \* of \* \* \* Apple Vinegar. Consent decree of con-  
demnation and forfeiture. Product ordered released on bond.  
(F. & D. No. 8348. I. S. No. 12711-m. S. No. C-710.)**

On July 26, 1917, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 barrels, each containing 50 gallons of apple vinegar, consigned on or about April 25, 1917, by the Banner Vinegar Co., Cincinnati, Ohio, remaining unsold in the original unbroken packages at Winchester, Ky., alleging that the article had been shipped and transported from the State of Ohio into the State of Kentucky, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Melrose Brand Pure Apple Vinegar."

Adulteration of the article was alleged in the libel for the reason that divers substances, to wit, distilled vinegar and added dilute acetic acid and divers other substances had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

Misbranding of the article was alleged in substance for the reason that the barrels bore statements, designs, and devices regarding the article which were false and misleading in that the barrels were so labeled, branded, and designed as to make it appear that the vinegar was a fermented apple vinegar, made from apple products, and for the further reason that the design, label, and stenciled brand were so made with the purpose and intent of deceiving and misleading the purchaser, and inducing in the purchaser the belief that the vinegar was a fermented apple vinegar made from apple products, whereas, in truth and in fact, it was not, but was a vinegar made from apple products, distilled vinegar, and added dilute acetic acid.

On August 7, 1917, the Mahan Grocery & Supply Co., Winchester, Ky., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should not be disposed of until the same had been properly labeled.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5834. Adulteration and misbranding of soap liniment. U. S. \* \* \* v. 1 Barrel \* \* \* of \* \* \* Soap Liniment. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8350. I. S. No. 6912-p. S. No. E-865.)**

On July 26, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 1 barrel, containing 50 gallons of an article purporting to be soap liniment, consigned by the Tincture & Extract Co., Philadelphia, Pa., remaining unsold in the original unbroken package at Washington, D. C., alleging that the article had been shipped between the dates of July 1, 1917, and July 20, 1917, and transported from the State of Pennsylvania into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Soap Liniment (U. S. P.) Alcohol 70%."

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a certain name, to wit, the name of soap liniment, which said name is recognized in the United States Pharmacopœia, when, in truth and in fact, the said drug differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of the shipment of said article and the filing of the libel.

Misbranding of the article was alleged for the reason that the label on the barrel was false and misleading in that the statement, "Soap liniment (U. S. P.)," thereon, imported and signified that the product contained therein was soap liniment of the standard of strength, quality, and purity as determined by the tests laid down in the said Pharmacopœia, official at the time of the shipment of said article and the filing of the libel, when, in truth and in fact, it was not soap liniment according to the standard of the said Pharmacopœia, official as aforesaid, and for the further reason that the article, labeled and branded as aforesaid, purported to contain 70 per cent of alcohol by volume, when, in truth and in fact, it contained 60.9 per cent of alcohol by volume.

On September 20, 1917, the said Tincture & Extract Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5835. Adulteration and misbranding of soap liniment. U. S. \* \* \* v. 1 Carboy \* \* \* of \* \* \* Soap Liniment. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8351. I. S. No. 6914-p. S. No. E-866.)**

On July 26, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 1 carboy, containing 12 gallons of an article purporting to be soap liniment, consigned by the Tincture & Extract Co., Philadelphia, Pa., remaining unsold in the original unbroken package at Washington, D. C., alleging that the article had been shipped between the dates of July 1, 1917, and July 20, 1917, and transported from the State of Pennsylvania into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Soap Liniment (U. S. P.) Alcohol 70%. Tincture & Extract Co., Philadelphia, Penna."

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a certain name, to wit, the name of soap liniment, which said name is recognized in the United States Pharmacopœia, when, in truth and in fact, the said drug differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia official at the time of the shipment of said article and the filing of the libel.

Misbranding of the article was alleged for the reason that the label on the carboy was false and misleading in that the statement, "Soap Liniment (U. S. P.)," thereon, imported and signified that the product contained therein was soap liniment of the standard of strength, quality, and purity as determined by the tests laid down in the said Pharmacopœia, official at the time of the shipment of said article and the filing of the libel, when, in truth and in fact, it was not soap liniment according to the standard of the said Pharmacopœia official, as aforesaid, and for the further reason that the article, labeled and branded as aforesaid, purported to contain 70 per cent of alcohol by volume, when, in truth and in fact, it contained 62.7 per cent of alcohol by volume.

On September 20, 1917, the said Tincture & Extract Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5836. Misbranding of "Japanese Wild Cherry Cough Syrup," and "Japanese Herb Laxative Compound," U. S. \* \* \* v. Torata Tanaka (Japanese Remedy Co.). Plea of guilty. Fine, \$75 and costs. (F. & D. No. 8354. I. S. Nos. 11435-m, 11436-m.)**

On September 26, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Torata Tanaka, trading as the Japanese Remedy Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about September 18, 1916, from the State of Missouri into the State of Illinois, of quantities of articles labeled in part, "Japanese Wild Cherry Cough Syrup" and "Japanese Herb Laxative Compound," which were misbranded.

Analysis of a sample of the "Cough Syrup" by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	5.0
Nonvolatile at 100° C. (grams per 100 cc)-----	29.3
Ash (gram per 100 cc)-----	0.2
Reinsch test for mercury, arsenic, and antimony-----	Negative
Menthol-----	Present
Aromatics-----	Trace
Wild cherry (test for hydrocyanic acid)-----	Negative
Reducing sugars after inversion (grams per 100 cc)--- --	26.7
Plant extractives and tannin-----	Present
Unidentified alkaloid-----	Trace

The sample consisted essentially of a hydroalcoholic solution of plant material and menthol.

The "Laxative Compound":

The sample consisted essentially of a dilute hydroalcoholic solution of plant materials bearing emodin.

It was alleged in substance in the information that the "Cough Syrup" was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for all lung diseases, all coughs, whooping cough, catarrh, la grippe, bronchitis, and all inflammation of the air passages, and as a cure for coughs, and as a remedy in deep seated diseases of the chest mucous membrane, when, in truth and in fact, it was not.

Misbranding of the "Laxative Compound" was alleged for the reason that it contained alcohol, and its label failed to bear a statement of the proportion or quantity of alcohol contained therein. It was alleged in substance that the article was misbranded for the further reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for all old blood diseases, as a true nerve and blood tonic, and as effective to aid the digestion, to cleanse the blood, strengthen the nerves, and create an appetite, and as a remedy for rheumatism, blood disorders, stomach trouble, liver and kidney complaint, sick headache, malaria, indigestion, dyspepsia, constipation, catarrh, skin diseases, nervousness, salt rheum, scrofula, neuralgia, the aftereffects of la grippe, palpitation of the heart, all forms of weakness, and all diseases resulting from vitiated humors of the blood, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the

circular accompanying the article falsely and fraudulently represented it to be effective as a blood purifier, to give new life and richness to the blood, and to restore shattered nerves, and as a remedy for nervousness and sick headache, neuralgia, heart and stomach trouble, rheumatism, catarrh, skin diseases, indigestion, dyspepsia, constipation, liver and kidney complaint, scrofula, malaria, syphilitic affections, and all diseases resulting from vitiated humors of the blood, when, in truth and in fact, it was not.

On October 15, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5837. Adulteration and misbranding of brandy. U. S. \* \* \* v. Aniello Nappo (Naples Distilling Co.). Plea of guilty. Fine, \$25. (F. & D. No. 8363. I. S. No. 1746-m.)**

On September 13, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Aniello Nappo, trading under the name of the Naples Distilling Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on November 25, 1916, from the State of New York into the State of Connecticut, of a quantity of an article labeled in part, "Extra Quality Cognac Type," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Proof (degrees) .....	87.9
Acidity (grams per 100 liters proof) .....	19.1
Fusel oil (grams per 100 liters proof) .....	4.0
Esters (grams per 100 liters proof) .....	9.0
Aldehyde (grams per 100 liters proof) .....	1.0
Furfural (gram per 100 liters proof) .....	0.13
Paraldehyde test for caramel: Positive.	

Sample consists essentially of neutral spirits colored with caramel.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, neutral spirits, artificially colored, had been substituted in whole or in part for extra quality cognac type, which the article purported to be, and for the further reason that it was a substance composed in whole or in part of neutral spirits, an article inferior to extra quality cognac type, and was artificially colored so as to simulate the appearance of extra quality cognac type in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that the statement borne on the labels attached to the bottles, to wit, "Extra Quality Cognac Type," was false and misleading in that it represented that the article was extra quality cognac type brandy, whereas, in truth and in fact, it was not, but was a mixture composed in whole or in part of neutral spirits, artificially colored, and for the further reason that it was a mixture composed in part of neutral spirits, artificially colored, prepared in imitation of cognac type brandy, and was offered for sale and sold under the distinctive name of another article, to wit, cognac type, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was extra quality cognac type brandy, whereas, in truth and in fact, it was not, but was a mixture composed in whole or in part of neutral spirits, artificially colored.

On October 1, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

582S. Adulteration and misbranding of ground oil cake. U. S. \* \* \* v. Archer-Daniels Linseed Co., a corporation. Plea of guilty. Fine, \$15. (F. & D. No. 8365. I. S. No. 13029-1.)

On October 4, 1917, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Archer-Daniels Linseed Co., a corporation, Minneapolis, Minn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 22, 1916, from the State of Minnesota into the State of Nebraska, of a quantity of an article labeled in part, "Old Process Ground Oil Cake," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to contain weed seeds or screenings cake.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, weed seeds or screenings, had been substituted in part for ground oil cake, which the article purported to be.

Misbranding was alleged for the reason that the statement borne on the sacks containing the article, regarding it and the ingredients and substance contained therein, to wit, "Ground Oil Cake," was false and misleading in that it represented that the article consisted exclusively of ground oil cake, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted exclusively of ground oil cake, whereas, in truth and in fact, it did not, but consisted in part of weed seeds or screenings.

On October 4, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5839. Adulteration and misbranding of oil of sassafras. U. S. \* \* \* v. 3 Cans of \* \* \* Oil of Sassafras. Default decree of condemnation, forfeiture, and sale.** (F. & D. No. 8373. I. S. No. 1103-p. S. No. E-867.)

On August 1, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cans of an article purporting to be oil of sassafras, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about July 24, 1917, by the Southern Root & Herb Co., Damascus, Va., and transported from the State of Virginia into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Oil of Sassafras."

Adulteration of the article was alleged in the libel for the reason that synthetic oil of sassafras had been substituted for genuine oil of sassafras.

Misbranding of the article was alleged for the reason that the label was false and misleading in that it was offered for sale under the distinctive name of another article; and in that it was so labeled and branded as to deceive and mislead purchasers.

On August 28, 1917, no claimant having appeared for the property, judgment for condemnation and forfeiture was entered, and it was ordered by the court that the product should be labeled as imitation oil of sassafras and should be sold by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5840. Adulteration of horse beans. U. S. \* \* \* v. 500 Bags of Horse Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8374. I. S. No. 16302-p. S. No. W-188.)

On July 26, 1917, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 bags of horse beans, remaining unsold in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped on or about June 22, 1917, by the Ennis Brown Co., Sacramento, Cal., and was being transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy and decomposed vegetable substance.

On August 10, 1917, the said Ennis Brown Co., claimant, having entered its appearance and paid the cost of the proceedings, it was ordered by the court that the product should be delivered to said claimant upon the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act, conditioned in part that the said product should be sorted and handpicked under the supervision of a representative of this department.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5841. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 70  
Barrels \* \* \* of \* \* \* Vinegar. Decree of condemnation.  
Product ordered released on bond. (F. & D. No. 8376. I. S. No.  
12188-m. S. No. C-717.)**

On July 28, 1917, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 barrels of a product purporting to be pure apple vinegar, remaining unsold in the original unbroken packages at Evansville, Ind., alleging that the article had been received on or about May 15, 1917, having been shipped by the Banner Vinegar Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Homade Brand Pure Apple Vinegar."

Adulteration of the article was alleged in the libel for the reason that it had mixed and packed with it distilled vinegar, or a solution of dilute acetic acid, which had been substituted in part for pure apple vinegar, so as to reduce, lower, and injuriously affect its quality.

Misbranding of the article was alleged for the reason that it was an imitation of pure apple vinegar, and consisted in part of distilled vinegar, or a solution of dilute acetic acid, which had been substituted in part for pure apple vinegar, and was offered for sale under the distinctive name of pure apple vinegar when, in fact, it was not, and for the further reason that it was labeled and branded as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure apple vinegar when, in fact, it was not.

On October 6, 1917, the said Banner Vinegar Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the claimant having paid the costs of the proceedings and executed bond in the sum of \$500, in conformity with section 10 of the act, it was ordered by the court that the product should be released to the said claimant.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5842. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 75 Barrels \* \* \* and 75 Barrels \* \* \* of \* \* \* Pure Cider Vinegar. Decree of condemnation. Product ordered released on bond. (F. & D. No. 8377. I. S. Nos. 12185-m, 12187-m. S. Nos. C-715, C-716.)**

On July 30, 1917, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 75 and 75 barrels of a product purporting to be pure cider vinegar, remaining unsold in the original and unbroken packages at Vincennes, Ind., alleging that the article had been received on or about March 19 and March 23, 1917, having been shipped by the Banner Vinegar Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the product was labeled in part, "Melrose Brand Pure Cider Vinegar." The remainder was labeled in part, "Yale Brand Pure Cider Vinegar."

Adulteration of the article was alleged in the libels for the reason that it had mixed and packed with it distilled vinegar, or a solution of dilute acetic acid, which had been substituted in part for pure cider vinegar, so as to reduce, lower, and injuriously affect its quality.

Misbranding of the article was alleged for the reason that it was an imitation of pure cider vinegar and consisted in part of distilled vinegar, or a solution of dilute acetic acid, which had been substituted in part for pure cider vinegar and was offered for sale under the distinctive name of pure cider vinegar, when, in fact, it was not, and for the further reason that it was labeled and branded as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure cider vinegar, when, in fact, it was not.

On October 6, 1917, the said Banner Vinegar Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered, and the claimant having paid the costs of the proceedings and executed bonds in the aggregate sum of \$1,500, in conformity with section 10 of the act, it was ordered by the court that the product should be released to the said claimant.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5843. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 2 Barrels of Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8378. I. S. No. 8803-p. S. No. C-7119.)**

On July 30, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels, each containing 350 pounds of gelatin, consigned on or about March 27, 1917, by W. K. Jahn Co., Chicago, Ill., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Illinois into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Special W. Gelatine."

Adulteration of the article was alleged in the libel for the reason that it contained an added poisonous and deleterious ingredient, to wit, zinc, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that it was offered for sale, sold, and invoiced under the distinctive name of gelatin, when, in truth and in fact, it was not, but was another article, to wit, a mixture of gelatin and zinc.

On October 2, 1917, the said W. K. Jahn Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be relabeled under the supervision of a representative of this department and released to said claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5844. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 1 Barrel of Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8379. I. S. No. 8802-p. S. No. C-718.)**

On July 30, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel, containing 348 pounds of gelatin, consigned on or about May 16, 1917, by W. K. Jahn Co., Chicago, Ill., remaining unsold in the original unbroken package at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Illinois into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Special W. Gelatine."

Adulteration of the article was alleged in the libel for the reason that it contained an added poisonous and deleterious ingredient, to wit, zinc, which might render said article of food injurious to health.

Misbranding of the article was alleged for the reason that it was offered for sale, sold, and invoiced under the distinctive name of gelatin, when, in truth and in fact, it was not, but was another article, to wit, a mixture of gelatin and zinc.

On October 2, 1917, the said W. K. Jahn Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be relabeled under the supervision of a representative of this department and released to said claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5845. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 3 Barrels of Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8381. I. S. No. 8804-p. S. No. C-724.)**

On August 1, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 barrels, each containing 243 pounds of gelatin, consigned on or about November 27, 1916, by the Detroit Gelatine Co., Chicago, Ill., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Illinois into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained an added deleterious ingredient, to wit, zinc, which might render said article injurious to health.

Misbranding of the article was alleged for the reason that it was offered for sale, sold, and invoiced under the distinctive name of gelatin when, in truth and in fact, it was not, but was another article, to wit, a mixture of gelatin and zinc.

On September 18, 1917, the said Detroit Gelatine Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be relabeled under the supervision of a representative of this department and released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5846. Adulteration and misbranding of oats. U. S. \* \* \* v. 15 Carloads and Other Carloads of Oats. Consent decree of condemnation. Product ordered released on bond.** (F. & D. No. 8382. I. S. Nos. 1823-p, 1824-p, 1825-p, 1829-p, 1830-p, 1831-p, 1833-p, 1834-p, 1836-p, 2817-p, 2818-p, 2819-p, 2820-p, 2822-p, 2834-p, 8206-p, 8207-p, 8208-p, 8209-p, 8210-p, 8211-p, 8212-p, 8213-p, 8214-p, 8215-p, 8216-p, 8217-p, 8722-p, 8723-p, 8724-p. S. No. E-871.)

During the month of August, 1917, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 15 carloads and other carloads of oats, remaining unloaded at Newport News, Va., alleging that the article had been shipped by the Milwaukee Elevator Co., from Minneapolis, Minn., and from H. Y. Tower Station, Indiana, during the months of July and August, and transported from the States of Minnesota and Indiana into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article in each shipment was alleged in substance in the libels for the reason that it had been mixed and packed with certain foreign substances, to wit, wild oats, weed seeds, and screenings, so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oats.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, oats.

On August 18, 1917, an order was entered consolidating the various libels filed into one cause, and the said Milwaukee Elevator Co., claimant, having consented to a decree, judgment of condemnation was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$15,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5847. Adulteration and misbranding of oats. U. S. \* \* \* v. 6 Carloads and 4 Carloads of Oats. Consent decree of condemnation. Product ordered released on bond.** (F. & D. No. 8383. I. S. Nos. 1826-p, 1827-p, 1832-p, 2821-p, 8203-p, 8204-p, 8205-p, 8218-p, 9005-p, 9006-p. S. No. E-872.)

On August 10, 1917, the United States attorney for the Eastern District of Virginia, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 6 carloads and 4 carloads of oats, remaining unloaded at Newport News, Va., alleging that the article had been shipped by the International Grain Elevator Co., from Minneapolis, Minn., on or about July 18, 1917, and transported from the State of Minnesota into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article in each shipment was alleged in the libels for the reason that it had been mixed and packed with certain foreign substances, to wit, wild oats, weed seeds, and screenings, so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oats.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, oats.

On August 25, 1917, an order consolidating the two libels into one cause was entered, and thereupon the said International Grain Elevator Co., claimant, having consented to a decree, the court found the article to be adulterated and misbranded, and a judgment of condemnation was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and execution of a bond in the sum of \$5,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5848. Adulteration and misbranding of oil of birch. U. S. \* \* \* v.  
1 Can of \* \* \* Oil of Birch. Consent decree of condemnation  
and forfeiture. Product ordered released on bond. (F. & D. No.  
8387. I. S. No. 1104-p. S. No. E-873.)

On August 13, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a product purporting to be 1 can of oil of birch, remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped on or about July 25, 1917, by M. F. Hopkins, Elizabethton, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Birch Oil."

Adulteration of the article was alleged in the libel for the reason that synthetic methyl salicylate had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oil of birch.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, oil of birch, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and specifically stated on the outside of the package in terms of weight, measure, or numerical count.

On September 6, 1917, the said M. F. Hopkins, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5849. Adulteration of oats. U. S. \* \* \* v. 3 Cars and Other Cars of Oats. Consent decrees of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 8395. I. S. Nos. 1708-p, 8717-p, 8718-p, 8719-p, 8720-p, 8721-p. S. No. E-874.)

On August 8, 1917, August 15, 1917, August 17, 1917, and August 27, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 3 cars and other cars of oats, consigned by the Milwaukee Elevator Co., Minneapolis, Minn., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about July 9, 1917, July 25, 1917 (2 shipments), and July 24, 1917, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article in each shipment was alleged in substance in the libels for the reason that certain substances, to wit, dirt, screenings, weed seeds, etc., had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly and in part for oats.

On August 20, 1917, the said Milwaukee Elevator Co., claimant, having admitted the averments of the libel, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the aggregate sum of \$8,400, in conformity with section 10 of the act, conditioned in part that the product should be cleansed under the supervision of a representative of this department.

CARL VROOMAN, *Acting Secretary of Agriculture,*

**5850. Adulteration of gelatin. U. S. \* \* \* v. 40 Barrels of Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8399. I. S. No. 10870-m. S. No. C-722.)**

On July 31, 1917, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 barrels of gelatin, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped on or about December 29, 1916, by T. M. Duche and Sons, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was invoiced as "P. F. Gelatine."

Adulteration of the article was alleged in the libel for the reason that glue, containing an excessive amount of zinc, had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted for pure food gelatin, which the article purported to be, and for the further reason that the product contained zinc, an added poisonous and deleterious ingredient, which might render it injurious to health.

On August 15, 1917, Charles Townsend and Brother, New York, N. Y., claimants, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of all costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

# INDEX TO NOTICES OF JUDGMENT 5801 TO 5850.

Beans :			Liniment :		
horse :		N. J. No.	soap :		N. J. No.
Ennis Brown Co-----	5840		Tincture & Extract Co-----	5834, 5835	
Birch oil. <i>See</i> Oil.			Mineral spring water. <i>See</i> Water.		
Brandy :			Oats. <i>See</i> Feed.		
Naples Distilling Co-----	5837		Oil :		
Trager, I., Co-----	5823		of birch :		
Bristol's sarsaparilla. <i>See</i> Sarsapa-			Hopkins, M. F-----	5843	
rilla.			Johnson, J. B-----	5810	
Candy. <i>See</i> Confectionery.			of sassafras :		
Chocolate candy. <i>See</i> Confectionery.			Southern Root & Herb Co-----	5835	
Compound :			Oysters :		
Japanese herb laxative :			Chivell, Jos. H-----	5815	
Japanese Remedy Co-----	5836		Langrall, J., & Bro-----	5818	
Confectionery :			P. P. P. prickly ash, poke root, po-		
chocolate candy :			tassium, and stillingia :		
Touraine Co-----	5814		Lippman, F. V-----	5824	
Cottonseed meal or cake. <i>See</i> Feed.			Prickly ash, poke root, potassium,		
Cough sirup. <i>See</i> Sirup.			and stillingia :		
Eggs :			Lippman, F. V-----	5824	
Boyd, J. Niles-----	5826		Prunes :		
Brewer & Leigh-----	5827		Peters, Joseph-----	5825	
Lasher, J. K., & Bro-----	5830		Sardines. <i>See</i> Fish.		
Morrison, J. K., Grocery &			Sarsaparilla, Bristol's :		
Produce Co-----	5831		Lanman & Kemp-----	5822	
Walker, A. B. & Sons-----	5811		Sassafras, oil of. <i>See</i> Oil.		
frozen :			Sirup :		
Jacobson, Chas-----	5832		Japanese wild cherry cough :		
Feed, cottonseed meal or cake :			Japanese Remedy Co-----	5836	
Hobart Cotton Oil Mill-----	5802		Soap liniment :		
ground oil cake :			Tincture & Extract Co-----	5834,	
Archer-Daniels Linseed Co-----	5833			5835	
oats :			Strawberries :		
International Grain Ele-			Wedoit Co-----	5829	
vator Co-----	5847		Tomato :		
Milwaukee Elevator Co-----	5846,		pulp :		
	5849		Potts & Kaufmann-----	5807, 5808	
Fish :			Sisler, J. D., Co-----	5828	
sardines :			Tomatoes :		
Dickman, O. H., Fish Co-----	5805		Langrall, J., & Bro-----	5818	
Gelatin :			Roberts Bros-----	5819	
Burch, L. R., & Co-----	5809		Webster-Butterfield Co-----	5806	
Detroit Gelatine Co-----	5845		Vermouth :		
Duche, T. M., & Sons-----	5850		Venetian Distilling Co-----	5817	
Jahn, W. K., Co-----	5812,		Vinegar :		
	5813, 5843, 5844		Banner Vinegar Co-----	5833,	
Ground oil cake. <i>See</i> Feed.				5841, 5842	
Horse beans. <i>See</i> Beans.			Gist-Leo Vinegar Co-----	5803	
Hydrozone :			Kinney Cider Co-----	5801	
Drevet Mfg. Co-----	5821		Walnut		
Japanese herb laxative compound.			meats :		
<i>See</i> Compound.			Birdsong Bros-----	5804	
Japanese wild cherry cough sirup.			Kutsukian, J., & Co-----	5804	
<i>See</i> Sirup.			Water :		
La Franco combination treatment :			mineral spring :		
La Franco Medical Co-----	5820		Benscot Mineral Springs		
La Franco vitalizer No. 200 :			Co-----	5816	
La Franco Medical Co-----	5820		Wild cherry cough sirup. <i>See</i> Sirup.		

